#### PROGRESS IN THE FENSA DOCUMENT AND TRACK CHANGES

- 1. The texts hereby compared are:
  - a. The paragraphs agreed *ad referendum* and highlighted in green in the latest instalment of the FENSA document, which resulted from the informal informal consultations conducted in September 2015<sup>1</sup> and which will be used as working document during the October consultations.
  - b. The original text, i.e. the analogous paragraphs in the draft version distributed in December 2014 (document **EB136/5)**, which was discussed by the EB136 in January 2015 and which was further discussed from March onwards.
- 2. The two first columns present the text exactly as it is in the reference documents (EB136/5 and latest instalment of FENSA). The third column presents the text currently agreed *ad referendum* in track changes from the original December version. The changes are shown in **bold and in red**; additions are in squared brackets "\(\Pi\)" and deletions are in **strikethrough**.
- 3. In neither document, footnotes follow a sequence. To avoid confusion, in the chart below, consecutive numbers are assigned to the footnotes.
- **4.** Although the intent is to consider only the text agreed *ad ref*, there are a few paragraphs where text in rose, yellow, brown or grey has also been included. This exception is due to the fact that most of the text in those paragraphs is agreed *ad ref*, and omitting the portions not yet agreed would hinder the context. The text not yet agreed, was not used for comparison.
- 5. The paragraphs that DO NOT have text in bold and in red in the third column are those that were not altered since the intergovernmental process started.

#### PRELIMINARY FINDINGS:

- A great deal of the text has remained unchanged from the December version (EB136/5):
  - o Overarching Framework: 18 paragraphs have remained unchanged; roughly **one fourth** of the number of paragraphs.
  - o NGO Policy and Operational Procedures: 6 paragraphs out of 17 have remained unchanged; roughly one third of the number of paragraphs.
  - o Private Sector Policy and Operational Procedures: 16 paragraphs out of 38 have remained unchanged; roughly 40% of the number of paragraphs.
  - o Philanthropic Foundations Policy and Operational Procedures: 11 out of 19 paragraphs unchanged; i.e. more than half (58%) of the number of paragraphs.
  - o Academic Institutions Policy and Operational Procedures: 10 out of 20 paragraphs unchanged; half the number of paragraphs in the policy.
- Out of the paragraphs that have been changed, the vast majority are either explanatory or clarifying additions, minor language adjustments or deletions of repetitive text. Another fraction of the changes are statements on principles of action, not necessarily deriving in procedural consequences.
- Some changes that have been agreed do have procedural and financial implications.

<sup>&</sup>lt;sup>1</sup> The informal informal consultations that were conducted in September did not intend to agree any text ad ref. Partial agreements were highlighted in blue and not in green. Therefore, the text used for comparison was, in fact, the text that was agreed during the July consultations.

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INTRODUCTION	INTRODUCTION	INTRODUCTION
1. The overarching framework for engagement	1. The overarching framework <mark>for of</mark>	1. The overarching framework <del>for</del> of
with non-State actors and the WHO policy and	engagement with non-State actors and the WHO	engagement with non-State actors and the WHO
operational procedures on management of	policy and operational procedures on	policy and operational procedures on
engagement with non-State actors apply to all	management of engagement with non-State	management of engagement with non-State
engagements with non-State actors at all levels of	actors apply to all engagements with non-State	actors apply to all engagements with non-State
the Organization,[1] whereas the four specific	actors at all levels of the Organization,[1] whereas	actors at all levels of the Organization,[1] whereas
policies and operational procedures on	the four specific policies and operational	the four specific policies and operational
engagement are limited in application to,	procedures on engagement are limited in	procedures on engagement are limited in
respectively, nongovernmental organizations,	application to, respectively, nongovernmental	application to, respectively, nongovernmental
private sector entities, philanthropic foundations	organizations, private sector entities, philanthropic	organizations, private sector entities, philanthropic
and academic institutions.	foundations and academic institutions.	foundations and academic institutions.
FOOTNOTE 1: Headquarters, regional offices and	FOOTNOTE 1: Headquarters, regional offices and	FOOTNOTE 1: Headquarters, regional offices and
country offices, as well as hosted partnerships.	country offices, entities established under WHO,	country offices, [entities established under WHO],
	as well as hosted partnerships. For hosted	as well as hosted partnerships. [For hosted
	partnerships the framework of engagement with	partnerships the framework of engagement with
	non-State actors will apply, subject to the policy	non-State actors will apply, subject to the policy
	on WHO's engagement with global health	on WHO's engagement with global health
	partnerships and hosting arrangements	partnerships and hosting arrangements
	(resolution WHA63.10). Hosted, as well as	(resolution WHA63.10). Hosted, as well as
	external partnerships are explained in paragraph	external partnerships are explained in paragraph
	48.	48.]
ENGAGEMENT: RATIONALE, PRINCIPLES,	ENGAGEMENT: RATIONALE, PRINCIPLES,	ENGAGEMENT: RATIONALE, PRINCIPLES,
BENEFITS AND RISKS	BENEFITS AND RISKS	BENEFITS AND RISKS
Rationale	Rationale	Rationale

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2. The health landscape has become more complex in many respects; among other things, there has been an increase in the number of players in global health governance. Non-State actors play a major role in all aspects of global health and WHO can only fulfil its leadership role global health and its mandate if the Organization proactively engages with Member States, other international organizations and non-State actors. In support of this aim, WHO with non-State actors engages advancement and protection of public health in order to foster the use of non-State actors' (including knowledge, resources expertise. commodities, personnel and finances) in favour of public health and to encourage non-State actors to improve their own activities to protect and promote public health.

2. WHO is the directing and coordinating authority in global health in line with its constitutional mandate. The global health landscape has become more complex in many respects; among other things, there has been an increase in the number of players including non-State actors. WHO engages with non-State actors in view of their significant role in global health for the advancement and promotion of public health and to encourage non-State actors to use their own activities to protect and promote public health.

- The functions of WHO, as set out in Article
   of its Constitution, include: to act as the directing
   and coordinating authority on international health
- 2. [WHO is the directing and coordinating authority in global health in line with its constitutional mandate. The health landscape has become more complex in many respects; among other things, there has been an increase in the number of players [including non-State actors] in global health governance. Non-State actors play a major role in all aspects of global health and WHO can only fulfil its leadership role in global health and its mandate if the Organization proactively engages with Member States, other international organizations and non-State actors. In support of this aim, WHO engages with non-State actors in view of their significant role in global health for] the advancement and protection of public health in order to foster the use of non-State actors' resources (including knowledge, expertise, commodities, personnel and finances) in favour of public health and to encourage non-State actors to improve [use] their own activities to protect and promote public health.
- The functions of WHO, as set out in Article
   of its Constitution, include: to act as the directing
   and coordinating authority on international health

3. The functions of the WHO, as set out in Article2 of its Constitution, include: to act as the directing and coordinating authority on

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international health work; to establish and	work; to establish and maintain effective	work; to establish and maintain effective
maintain effective collaboration with diverse	collaboration with diverse organizations; and to	collaboration with diverse organizations; and to
organizations; and to promote cooperation among	promote cooperation among scientific and	promote cooperation among scientific and
scientific and professional groups which	professional groups which contribute to the	professional groups which contribute to the
contribute to the advancement of health. The	advancement of health. The Constitution further	advancement of health. The Constitution further
Constitution further mandates the Health	mandates the Health Assembly or the Executive	mandates the Health Assembly or the Executive
Assembly or the Executive Board, and the	Board, and the Director-General, to enter into	Board, and the Director-General, to enter into
Director-General, to enter into specific	specific engagements with other organizations. [2]	specific engagements with other organizations. [2]
engagements with other organizations. [2] WHO	WHO shall, in relation to non-State actors, act in	WHO shall, in relation to non-State actors, act in
shall, in relation to non-State actors, act in	conformity with its Constitution and resolutions	conformity with its Constitution and any relevant
conformity with its Constitution and any relevant	and decisions of the Health Assembly, and	resolutions [and decisions] of the Health
resolutions of the Health Assembly as well as	bearing in mind those of the United Nations	Assembly, <del>as well as</del> [and bearing in mind] those
those of the United Nations General Assembly or	General Assembly or the Economic and Social	of the United Nations General Assembly or the
the Economic and Social Council of the United	Council of the United Nations, if applicable.	Economic and Social Council of the United
Nations, if applicable.	FOOTNOTE 2: WHO Constitution, Articles 18, 33,	Nations, if applicable.
FOOTNOTE 2: WHO Constitution, Articles 18, 33,	41 and 71.	FOOTNOTE 2: WHO Constitution, Articles 18, 33,
41 and 71.		41 and 71.
4. The objectives of WHO's engagement with	4. (DELETED)	4. (DELETED)
non-State actors are to promote global health as		
articulated in WHO's General Programme of Work		
and to support implementation of the		
Organization's policies and recommendations as		
decided by the governing bodies, as well as the		
application of WHO's technical norms and		
standards.		

5. Such a proactive and constructive engagement with non-State actors at global, regional and country levels, in mutual respect and trust, also calls for a number of measures of caution. In order to be able to strengthen its engagement with non-State actors for the benefit of global health and in the interest of all actors, WHO needs simultaneously to strengthen management of the associated potential risks. This requires a robust framework for engagement that encourages and increases involvement but serves also as an instrument to identify the risks, balancing them against the expected benefits, while protecting and preserving WHO's integrity and reputation. In this way WHO will manage its engagements with non-State actors actively and

transparently.

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5. WHO's engagement with non-State actors supports implementation of the Organization's policies and recommendations as decided by the governing bodies, as well as the application of WHO's technical norms and standards. Such an effective engagement with non-State actors at global, regional and country levels, [in mutual respect,] also calls for due diligence and transparency measures applicable to non-State actors under this framework [, while exercising [particular] / [appropriate] caution when engaging with particular [industries] [and] / [entities].](DEL) In order to be able to strengthen its engagement with non-State actors for the benefit and interest WHO global public health, needs simultaneously to strengthen its management of the associated potential risks. This requires a robust framework that enables engagement and serves also as an instrument to identify the risks, balancing them against the expected benefits, while protecting and preserving WHO's integrity, reputation and public health mandate.

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5. [WHO's engagement with non-State actors supports implementation of the Organization's policies and recommendations as decided by the governing bodies, as well as the application of WHO's technical norms and standards.] Such [an effective and constructive engagement with non-State actors at global, regional and country levels, in mutual respect and trust, also calls [for due diligence and transparency measures applicable to non-State actors under this framework] [, while exercising [particular] / [appropriate] caution when engaging with particular [industries] [and] / [entities].](DEL) In order to be able to strengthen its engagement with non-State actors for the benefit [and interest] of global health and in the interest of all actors, WHO needs simultaneously to strengthen its management of the associated potential risks. This requires a robust framework for engagement that encourages and increases involvement but [that enables engagement and] serves also as an instrument to identify the risks, balancing them against the expected benefits, while protecting and preserving WHO's integrity and [,] reputation [and public health mandate]. In this way WHO will

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		manage its engagements with non-State actors
		actively and transparently.
Principles	Principles	Principles
6. WHO's engagement with non-State actors is	6. WHO's engagement with non-State actors	6. WHO's engagement with non-State actors
guided by the following overarching principles.	is guided by the following overarching principles.	is guided by the following overarching principles.
Any engagement should:	Any engagement must:	Any engagement should [must]:
(a) demonstrate a clear benefit to public health;	(a) demonstrate a clear benefit to public health;	(a) demonstrate a clear benefit to public health;
(b) respect the intergovernmental nature of WHO,	(a bis) conform with WHO's Constitution, mandate	[(a bis) conform with WHO's Constitution,
where the decision-making by WHO's governing	and general programme of work	mandate and general programme of work]
bodies is the exclusive prerogative of Member	(b) respect the intergovernmental nature of	(b) respect the intergovernmental nature of
States;	WHO and the decision-making authority of	WHO where the decision-making by WHO's
(c) support and enhance the scientific and	Member States as set out in the WHO's	governing bodies is the exclusive prerogative of
evidence-based approach that underpins WHO's	Constitution;	Member States; and the decision-making
work;	(c) support and enhance, without compromising,	authority of Member States as set out in the
(d) protect WHO's processes in setting norms and	the scientific and evidence-based approach that	WHO's Constitution;
standards from any undue influence;	underpins WHO's work;	(c) support and enhance, [without
(e) avoid compromising WHO's integrity,	(d) Protect WHO from any undue influence, in	compromising], the scientific and evidence-based
independence, credibility and reputation;	particular on the processes in setting and applying	approach that underpins WHO's work;
(f) be actively managed so as to mitigate any form	policies, norms and standards;[3]	(d) Protect WHO's processes in setting norms
of risk to WHO (including conflicts of interest);	(e) not compromise WHO's integrity,	and standards from any undue influence,[ in
(g) be conducted on the basis of transparency,	independence, credibility and reputation;	particular on the processes in setting and applying
openness, inclusiveness, accountability, integrity	(f) be effectively managed, including by, where	policies, norms and standards;[3] ]
and mutual respect.	possible avoiding conflict of interest[4] and other	(e) avoid compromising [not compromise]
	forms of risks to WHO;	WHO's integrity, independence, credibility and
	(g) be conducted on the basis of transparency,	reputation;

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	openness, inclusiveness, accountability, integrity	(f) be actively [effectively] managed, so as to
	and mutual respect;	mitigate any form of risk to WHO (including
	FOOTNOTE 3: Policies, norms and standard	conflicts of interest); [including by, where possible
	setting includes information gathering, preparation	avoiding conflict of interest[4] and other forms of
	for, elaboration of and the decision on the	risks to WHO;]
	normative text.	(g) be conducted on the basis of transparency,
	FOOTNOTE 4: As set out in paragraphs 23 to 26	openness, inclusiveness, accountability, integrity
		and mutual respect;
		[FOOTNOTE 3: Policies, norms and standard
		setting includes information gathering, preparation
		for, elaboration of and the decision on the
		normative text.]
		[FOOTNOTE 4: As set out in paragraphs 23 to 26]
Benefits of engagement	Benefits of engagement	Benefits of engagement
7. WHO's engagement with non-State actors can	7. WHO's engagement with non-State actors	7. WHO's engagement with non-State actors
bring important benefits to global public health	can bring important benefits to global public	can bring important benefits to global public
and to the Organization itself. For this reason,	health and to the Organization itself in fulfilment of	health and to the Organization itself [in fulfilment
WHO engages extensively with non-State actors.	its constitutional principles and objectives,	of its constitutional principles and objectives,
Engagements range from major, longer-term	including its directing and coordinating role in	including its directing and coordinating role in
collaborations to smaller, briefer interactions.	global health. Engagements range from major,	global health (moved from below)]. Engagements
Some engagements focus on the benefits that	longer-term collaborations to smaller, briefer	range from major, longer-term collaborations to
non-State actors can bring to the work of WHO,	interactions. Benefits arising from such	smaller, briefer interactions. Some engagements
whereas others focus either on (i) the influence	engagement can also include:	focus on the benefits that non-State actors can
that WHO can have on non-State actors to	a) (DELETED)	bring to the work of WHO, whereas others focus
enhance their impact on global public health or to	b) the contribution of non-State actors to the work	either on [Benefits arising from such engagement

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influence the social, economic and environmental	of WHO	can also include:]
determinants of health or on (ii) enabling WHO to	c) the influence that WHO can have on non-State	a) (DELETED)
fulfil its directing and coordinating role in global	actors to enhance their impact on global public	[b) the contribution of non-State actors to the work
health.	health or to influence the social, economic and	of WHO]
	environmental determinants of health	c) the influence that WHO can have on non-State
	d) the influence that WHO can have on non-State	actors to enhance their impact on global public
	actors' compliance with WHO's policies, norms	health or to influence the social, economic and
	and standards	environmental determinants of health
	e) the additional resources non-State actors can	[d) the influence that WHO can have on non-State
	contribute to WHO's work	actors' compliance with WHO's policies, norms
	f) the wider dissemination of and adherence by	and standards
	non-State actors to WHO's policies, norms and	e) the additional resources non-State actors can
	standards	contribute to WHO's work
		f) the wider dissemination of and adherence by
		non-State actors to WHO's policies, norms and
		standards]
Risks of engagement	Risks of engagement	Risks of engagement
8. WHO's engagement with non-State actors can	8 WHO's engagement with non-State actors	8 WHO's engagement with non-State actors
involve risks which need to be avoided or	can involve risks which need to be effectively	can involve risks which need to be avoided or
mitigated in accordance with WHO's risk	managed and, where appropriate, avoided. Risks	mitigated in accordance with WHO's risk
management framework. Major risks relate to the	relate inter alia to the occurrence in particular of	management framework [effectively managed
occurrence of the following:	the following:	and, where appropriate, avoided]. Major Risks
(a) conflicts of interest;	(a) conflicts of interest;	relate inter alia to the occurrence in particular of
(b) undue or improper influence exercised by a	(b) undue or improper influence	the following:
non-State actor on WHO's work, especially in, but	exercised by a non-State actor on WHO's	(a) conflicts of interest;

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not limited to, normative and standard-setting	work, especially in, but not limited to,	(b) undue or improper influence
activities;	policies, norms and standard setting [5];	exercised by a non-State actor on WHO's
(c) a negative impact on WHO's reputation and	(c) a negative impact on WHO's	work, especially in, but not limited to,
credibility;	integrity, independence, reputation and	policies, norms and standard setting [5];
(d) the collaboration being primarily used to serve	credibility; and public health mandate;	(c) a negative impact on WHO's
the interests of the non-State actor concerned	(d) the engagement being primarily	integrity, independence, reputation and
with limited benefits for WHO and public health;	used to serve the interests of the non-State	credibility; and public health mandate;
(e) the collaboration conferring an endorsement of	actor concerned with limited or no benefits	(d) the engagement being primarily
the non-State actor's name, brand, product or	for WHO and public health;	used to serve the interests of the non-State
activity;	(e) the engagement conferring an	actor concerned with limited or no benefits
(f) the whitewashing of a non-State actor's image	endorsement of the non-State actor's name,	for WHO and public health;
through an association with WHO;	brand, product, views or activity;[6]	(e) the engagement conferring an
(g) a competitive advantage for a non-State actor.	(f) the whitewashing of a non-State	endorsement of the non-State actor's name,
	actor's image through an engagement with	brand, product, views or activity;[6]
	WHO;	(f) the whitewashing of a non-State
	(g) a competitive advantage for a non-	actor's image through an engagement with
	State actor.	WHO;
	FOOTNOTE 5: Policies, norms and standard	(g) a competitive advantage for a non-
	setting includes information gathering, preparation	State actor.
	for, elaboration of and the decision on the	FOOTNOTE 5: Policies, norms and standard
	normative text.	setting includes information gathering, preparation
	FOOTNOTE 6: Endorsement does not include	for, elaboration of and the decision on the
	established processes such as prequalifications or	normative text.
	the WHO Pesticide Evaluation Scheme	FOOTNOTE 6: Endorsement does not include
	(WHOPES).	established processes such as prequalifications or

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		the WHO Pesticide Evaluation Scheme
		(WHOPES).
NON-STATE ACTORS	NON-STATE ACTORS	NON-STATE ACTORS
10. Nongovernmental organizations are non-profit	10 Nongovernmental organizations are non-	10 Nongovernmental organizations are non-
entities that operate independently of	profit entities that operate independently of	profit entities that operate independently of
governments. They are usually membership-	governments. They are usually membership-	governments. They are usually membership-
based, with non-profit entities or individuals as	based, with non-profit entities or individuals as	based, with non-profit entities or individuals as
members exercising voting rights in relation to the	members exercising voting rights in relation to the	members exercising voting rights in relation to the
policies of the nongovernmental organization, or	policies of the nongovernmental organization, or	policies of the nongovernmental organization, or
are otherwise constituted with non-profit, public-	are otherwise constituted with non-profit, public-	are otherwise constituted with non-profit, public-
interest goals. They shall be free from concerns	interest goals. They are free from concerns which	interest goals. They shall be [are] free from
which are primarily of a private, commercial or	are primarily of a private, commercial or profit-	concerns which are primarily of a private,
profit-making nature. They shall have the authority	making nature. They could include, for example,	commercial or profit-making nature. They shall
to speak for their members through their	grassroots community organizations, civil society	have the authority to speak for their members
authorized representatives. They include	groups and networks, faith-based organizations,	through their authorized representatives. They
grassroots community organizations, civil society	professional groups, disease-specific groups, and	[could] include, for example, grassroots
groups and networks, faith-based organizations,	patient groups.	community organizations, civil society groups and
professional groups, disease-specific groups, and		networks, faith-based organizations, professional
patient groups.		groups, disease-specific groups, and patient
		groups.
11. Private sector entities are commercial	11. Private sector entities are commercial	11. Private sector entities are commercial
enterprises, that is to say businesses that are	enterprises, that is to say businesses that are	enterprises, that is to say businesses that are
intended to make a profit for their owners. The	intended to make a profit for their owners. The	intended to make a profit for their owners. The
term also refers to entities that represent, or are	term also refers to entities that represent, or are	term also refers to entities that represent, or are
governed or controlled by, private sector entities.	governed or controlled by, private sector entities.	governed or controlled by, private sector entities.

This group includes (but is not limited to) business associations representing commercial enterprises, entities not "at arms' length"[3] from their commercial sponsors, and partially or fully State-owned commercial enterprises acting like private sector entities.

International business associations are private sector entities that do not intend to make a profit for themselves but represent the interests of their members, which are commercial enterprises and/or national or other business associations. For the purposes of this framework, they shall have the authority to speak for their members through their authorized representatives. Their members shall exercise voting rights in relation to the policies of the international business association.

**FOOTNOTE 3:** An entity is "at arm's length" from another entity if it does not take instructions and is not clearly influenced in its decisions by the other entity.

12. **Philanthropic foundations** are non-profit entities whose assets are provided by donors and

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This group includes (but is not limited to) business associations representing commercial enterprises, entities not "at arm's length"[7] from their commercial sponsors, and partially or fully Stateowned commercial enterprises acting like private sector entities.

International business associations are private sector entities that do not intend to make a profit for themselves but represent the interests of their members, which are commercial enterprises and/or national or other business associations. For the purposes of this framework, they shall have the authority to speak for their members through their authorized representatives. Their members shall exercise voting rights in relation to the policies of the international business association.

FOOTNOTE 7: An entity is "at arm's length" from another entity if it is independent from the other entity, does not take instructions and is clearly not influenced or clearly not reasonably perceived to be influenced in its decisions and work by the other entity.

**12. Philanthropic foundations** are non-profit entities whose assets are provided by donors and

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This group includes (but is not limited to) business associations representing commercial enterprises, entities not "at arm's length"[7] from their commercial sponsors, and partially or fully Stateowned commercial enterprises acting like private sector entities.

International business associations are private sector entities that do not intend to make a profit for themselves but represent the interests of their members, which are commercial enterprises and/or national or other business associations. For the purposes of this framework, they shall have the authority to speak for their members through their authorized representatives. Their members shall exercise voting rights in relation to the policies of the international business association.

FOOTNOTE 7: An entity is "at arm's length" from another entity if it [is independent from the other entity], does not take instructions and is clearly not influenced [or clearly not reasonably perceived to be influenced] in its decisions [and work] by the other entity.

-NO CHANGES-

12. Philanthropic foundations are non-profit

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whose income is spent on socially useful	whose income is spent on socially useful	entities whose assets are provided by donors and
purposes. They shall be clearly independent from	purposes. They shall be clearly independent from	whose income is spent on socially useful
any private sector entity in their governance and	any private sector entity in their governance and	purposes. They shall be clearly independent from
decision-making.	decision-making.	any private sector entity in their governance and
		decision-making.
13. Academic institutions are entities engaged in	13 Academic institutions are entities engaged in	13 Academic institutions are entities engaged in
the pursuit and dissemination of knowledge	the pursuit and dissemination of knowledge	the pursuit and dissemination of knowledge
through research, education and training.	through research, education and training. [8]	through research, education and training. [8]
	FOOTNOTE 8: This can include think tanks which	[FOOTNOTE 8: This can include think tanks
	are policy-oriented institutions, as long as they	which are policy-oriented institutions, as long as
	primarily perform research; while international	they primarily perform research; while
	associations of academic institutions are	international associations of academic institutions
	considered as non-governmental organizations,	are considered as non-governmental
	subject to paragraph 14.	organizations, subject to paragraph 14.]
14. For each of the four groups of entities above,	14 For each of the four groups of entities above,	14 For each of the four groups of entities
the overarching framework and the respective	the overarching framework and the respective	above, the overarching framework and the
specific policy on engagement apply. WHO will	specific policy on engagement apply. WHO will	respective specific policy on engagement apply.
determine through its due diligence if a non-State	determine through its due diligence if a non-State	WHO will determine through its due diligence if a
actor is subject to the influence of private sector	actor is subject to the influence of private sector	non-State actor is subject to the influence of
entities such that the non-State actor has to be	entities to the extent that the non-State actor has	private sector entities such that [to the extent that]
considered itself a private sector entity. If the	to be considered itself a private sector entity.	the non-State actor has to be considered itself a
decision-making processes of a non-State actor	Such influence can be exerted through financing,	private sector entity. [Such influence can be
remain independent of the private sector	participation in decision making or otherwise.	exerted through financing, participation in decision
influence, WHO can decide to consider the entity	Provided that the decision-making processes and	making or otherwise]. If [Provided that] the
as a nongovernmental organization, a	bodies of a non-State actor remain independent of	decision-making processes and bodies of a non-

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philanthropic foundation or an academic	undue influence from the private sector, WHO can	State actor remain independent of [undue
institution, but may apply relevant provisions of	decide to consider the entity as a	influence from] the private sector influence, WHO
the private sector policy, such as not accepting	nongovernmental organization, a philanthropic	can decide to consider the entity as a
funding for normative work.	foundation or an academic institution, but may	nongovernmental organization, a philanthropic
	apply relevant provisions of the WHO's policy and	foundation or an academic institution, but may
	operational procedures on engagement with	apply relevant provisions of the [WHO's] private
	private sector entities, such as not accepting	sector policy [and operational procedures on
	financial and in-kind contributions for use in the	engagement with private sector entities], such as
	normative work.	not accepting funding for [financial and in-kind
		contributions for use in the] normative work.
TYPES OF INTERACTION	TYPES OF INTERACTION	TYPES OF INTERACTION
15. The following are categories of interaction in	VERSION AS OF 10 JULY	VERSION AS OF 10 JULY
which WHO engages with non-State actors. Each	15. The following are categories of interaction	15. The following are categories of interaction
type of interaction can take different forms, be	in which WHO engages with non-State actors.	in which WHO engages with non-State actors.
subject to different levels of risk and can involve	Each type of interaction can take different forms,	Each type of interaction can take different forms,
different levels and types of engagement by the	be subject to different levels of risk and can	be subject to different levels of risk and can
Organization.	involve different levels and types of engagement	involve different levels and types of engagement
	by the Organization.	by the Organization.
	VERSION AS PROPOSED BY THE CHAIR ON 9	VERSION AS PROPOSED BY THE CHAIR ON 9
	OCTOBER	OCTOBER
	15. The following are categories of interaction in	15. The following are categories of interaction in
	which WHO engages with non-State actors. Each	which WHO engages with non-State actors. Each
	type of interaction can take different forms, be	type of interaction can take different forms, be
	subject to different levels of risk and can involve	subject to different levels of risk and can involve
	different levels and types of engagement by the	different levels and types of engagement by the

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	Organization. Procurement of goods and services	Organization. Procurement of goods and services
	is not considered as an engagement under this	is not considered as an engagement under this
	Framework.	Framework.
	15bis In the case of emergency response, the	15bis In the case of emergency response, the
	procedures of this Framework do not apply.	procedures of this Framework do not apply.
Participation	Participation	Participation
16. Non-State actors may attend various types of	16. Non-State actors may attend various types	16. Non-State actors may attend various types
meetings organized by WHO. The nature of their	of meetings organized by WHO. The nature of	of meetings organized by WHO. The nature of
participation depends on the type of meeting	their participation depends on the type of meeting	their participation depends on the type of meeting
concerned.	concerned. The format, modalities, and the	concerned. [The format, modalities, and the
	participation of non-State actors in consultations,	participation of non-State actors in consultations,
	hearings, and other meetings is decided on a	hearings, and other meetings is decided on a
	case-by-case basis by the WHO governing bodies	case-by-case basis by the WHO governing bodies
	or by the Secretariat.	or by the Secretariat.]
(a) Meetings of the governing bodies. This type	(a) Meetings of the governing bodies. This type	(a) Meetings of the governing bodies. This type
involves sessions of the World Health Assembly,	involves sessions of the World Health Assembly,	involves sessions of the World Health Assembly,
the Executive Board and the six regional	the Executive Board and the six regional	the Executive Board and the six regional
committees. Non-State actors' participation is	committees. Non-State actors' participation is	committees. Non-State actors' participation is
determined by the governing bodies' respective	determined by the governing bodies' respective	determined by the governing bodies' respective
rules of procedure, policies and practices as well	rules of procedure, policies and practices as well	rules of procedure, policies and practices as well
as the section of this framework that deals with	as the section of this framework that deals with	as the section of this framework that deals with
official relations.	official relations.	official relations.
(b) Consultations. This type includes any physical	(b) Consultations. This type includes any	(b) Consultations. This type includes any
or virtual meeting, other than governing body	physical or virtual meeting, other than governing	physical or virtual meeting, other than governing
sessions, organized for the purpose of	body sessions, organized for the purpose of	body sessions, organized for the purpose of

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exchanging information and views. There are no	exchanging information and views. Inputs	exchanging information and views. There are no
limits imposed on non-State actors' participation	received from non-State actors shall be made	limits imposed on non-State actors' participation
at such meetings.	publicly available, wherever possible.	at such meetings. [Inputs received from non-State
(c) Hearings. These are meetings in which the	(c) Hearings. These are meetings in which the	actors shall be made publicly available, wherever
participants can present their evidence, views and	participants can present their evidence, views and	possible.]
positions and be questioned about them but do	positions and be questioned about them but do	(c) Hearings. These are meetings in which the
not enter into a debate. Hearings can be	not enter into a debate. Hearings can be	participants can present their evidence, views and
electronic or in person. All interested entities	electronic or in person. All interested entities	positions and be questioned about them but do
should be invited on the same basis. The	should be invited on the same basis. The	not enter into a debate. Hearings can be
participants and positions presented during	participants and positions presented during	electronic or in person. All interested entities
hearings shall be documented.	hearings shall be documented and shall be made	should be invited on the same basis. The
(d) Other meetings. These are meetings that are	publicly available, wherever possible.	participants and positions presented during
not part of the process of setting policies or	(d) Other meetings. These are meetings that are	hearings shall be documented [and shall be made
norms; examples include information meetings,	not part of the process of setting policies or	publicly available, wherever possible.]
briefings, scientific conferences, and platforms for	norms; examples include information meetings,	(d) Other meetings. These are meetings that
coordination of actors. There are no limits	briefings, scientific conferences, and platforms for	are not part of the process of setting policies or
imposed on non-State actors' participation at such	coordination of actors.	norms; examples include information meetings,
meetings.		briefings, scientific conferences, and platforms for
		coordination of actors. There are no limits
		imposed on non-State actors' participation at such
		meetings.
17. WHO's involvement in meetings organized by	17. WHO's involvement in meetings organized	17. WHO's involvement in meetings organized
a non-State actor can – subject to the provisions	wholly or partly by a non-State actor can - subject	[wholly or partly] by a non-State actor can -
of this framework and the Organization's	to the provisions of this framework, its four	subject to the provisions of this framework, [its

applicable rules, policies and procedures – consist specific policies and operational procedures, and four specific policies and operational procedures,

#### EB136/5 - CIRCULATED IN DECEMBER 2014 WORKING DRAFT FOR OCTOBER MEETINGS TRACK CHANGES other applicable WHO rules, policies and of any one of the following possibilities: • WHO jointly organizes the meeting with the nonprocedures - consist of any one of the following possibilities: possibilities: State actor • WHO cosponsors a meeting organized by the · WHO jointly organizes the meeting with the non-State actor non-State actor non-State actor WHO staff make a presentation or act as WHO cosponsors a meeting [9] organized by the non-State actor the non-State actor panellists at a meeting organized by the non-State · WHO staff make a presentation or act as actor WHO staff attend a meeting organized by a nonpanellists at a meeting organized by the non-State actor. State actor State actor WHO staff attend a meeting organized by a non-State actor. non-State actor. FOOTNOTE 9: Cosponsorship of a meeting means: (1) another entity has the primary responsibility for organizing the meeting; and (2) WHO supports and contributes to the meeting and its proceedings; and (3) WHO reserves the right to clear the agenda of the meeting, the list of participants and the outcome documents of the meeting.] meeting. **Evidence** Evidence **Evidence**

19. Evidence includes the gathering, analysis and generation of information, and the management of knowledge and research.

19. For the purposes of this framework, evidence refers to inputs based on up-to-date information, knowledge on technical issues, and consideration of scientific facts, independently

and other applicable WHO rules, policies and procedures - consist of any one of the following

- · WHO jointly organizes the meeting with the
- WHO cosponsors a meeting [9] organized by
- · WHO staff make a presentation or act as panellists at a meeting organized by the non-
- WHO staff attend a meeting organized by a

[FOOTNOTE 9: Cosponsorship of a meeting means: (1) another entity has the primary responsibility for organizing the meeting; and (2) WHO supports and contributes to the meeting and its proceedings; and (3) WHO reserves the right to clear the agenda of the meeting, the list of participants and the outcome documents of the

19. [For the purposes of this framework, evidence refers to inputs based on up-to-date information, knowledge on technical issues, and consideration of scientific facts, independently

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	analysed by WHO. Evidence generation by WHO	analysed by WHO.] Evidence [generation by
	includes information gathering, analysis,	WHO] includes [information] gathering, analysis,
	generation of information and the management of	generation of information and the management of
	knowledge and research. Non-State actors may	knowledge and research. [Non-State actors may
	provide their up-to-date information and	provide their up-to-date information and
	knowledge on technical issues, and share their	knowledge on technical issues, and share their
	experience with WHO, as appropriate, subject to	experience with WHO, as appropriate, subject to
	the provisions of this framework, its four specific	the provisions of this framework, its four specific
	policies and operational procedures, and other	policies and operational procedures, and other
	applicable WHO rules, policies and procedures.	applicable WHO rules, policies and procedures.
	Such contribution should be made publicly	Such contribution should be made publicly
	available, as appropriate, wherever possible.	available, as appropriate, wherever possible.
	Scientific evidence generated should be made	Scientific evidence generated should be made
	publicly available.	publicly available.]
Advocacy	Advocacy	-NO CHANGES-
20. Advocacy is action to increase awareness of	20. Advocacy is action to increase awareness of	Advocacy
health issues, including issues that receive	health issues, including issues that receive	20. Advocacy is action to increase awareness of
insufficient attention; to change behaviours in the	insufficient attention; to change behaviours in the	health issues, including issues that receive
interest of public health; and to foster	interest of public health; and to foster	insufficient attention; to change behaviours in the
collaboration and greater coherence between	collaboration and greater coherence between	interest of public health; and to foster
non-State actors where joint action is required.	non-State actors where joint action is required.	collaboration and greater coherence between
		non-State actors where joint action is required.
Technical collaboration	Technical collaboration	Technical collaboration
21. For the purpose of this framework, technical	21. For the purpose of this framework, technical	21. For the purpose of this framework, technical
collaboration refers to other collaboration with	collaboration refers to other collaboration with	collaboration refers to other collaboration with

# non-State actors, as appropriate, in activities that fall within the General Programme of Work, including:

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- product development
- · capacity-building
- support to policy-making at the national level
- operational collaboration in emergencies
- contributing to the implementation of WHO's policies.

## MANAGEMENT OF CONFLICT OF INTEREST AND OTHER RISKS OF ENGAGEMENT

- 22. Managing conflict of interest and other risks of engagement requires a series of steps, as set out below. [4]
- WHO needs to know the non-State actors that it engages with. Therefore each non-State actor is required to provide information about itself and its activities, following which WHO conducts the necessary due diligence.
- WHO conducts a risk assessment in order to identify the specific risks of engagement associated with each engagement with a non-State actor.
- Risks of engagement need to be managed and communicated coherently throughout the

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non-State actors, as appropriate, in activities that fall within the General Programme of Work, including:

- product development
- capacity-building
- operational collaboration in emergencies
- contributing to the implementation of WHO's policies.

## MANAGEMENT OF CONFLICT OF INTEREST AND OTHER RISKS OF ENGAGEMENT

- 22. Managing, including by, where appropriate, avoiding, conflict of interest and other risks of engagement requires a series of steps, as set out below: [10]
- •WHO needs to know the non-State actors that it engages with. Therefore each non-State actor is required to provide all relevant [11] information about itself and its activities, following which WHO conducts the necessary due diligence.
- •WHO conducts a risk assessment in order to identify the specific risks of engagement associated with each engagement with a non-State actor.
- Risks of engagement need to be managed and

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non-State actors, as appropriate, in activities that fall within the General Programme of Work, including:

- product development
- capacity-building
- support to policy-making at the national level
- operational collaboration in emergencies
- contributing to the implementation of WHO's policies

# MANAGEMENT OF CONFLICT OF INTEREST AND OTHER RISKS OF ENGAGEMENT

- 22. Managing [, including by, where appropriate, avoiding,] conflict of interest and other risks of engagement requires a series of steps, as set out below: [10]
- •WHO needs to know the non-State actors that it engages with. Therefore each non-State actor is required to provide [all relevant [11]] information about itself and its activities, following which WHO conducts the necessary due diligence.
- •WHO conducts a risk assessment in order to identify the specific risks of engagement associated with each engagement with a non-State actor.
- Risks of engagement need to be managed and

Organization. To that end, WHO manages engagement through a single, Organization-wide electronic tool.[5]

 Member States need to exercise oversight over WHO's engagement with non-State actors. With this in mind, the Director-General reports on engagement involving non-State actors to the Executive Board through the Programme, Budget and Administration Committee and makes all engagements publicly known through the register of non-State actors.

**FOOTNOTE 4:** The framework is designed to institutional engagements; regulate implementation is closely coordinated with the implementation of other organizational policies regulating conflict of interest in respect of individuals (see paragraph 48).

**FOOTNOTE 5**: WHO uses an electronic tool for managing engagement. The publicly visible part of the tool is the register of non-State actors; the tool also provides an electronic workflow for the internal management of engagement. A similar electronic tool is used for the management of individual conflicts of interest in order to harmonize the implementation of the framework

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communicated coherently in each of the three levels of the Organization and throughout the Organization. To that end, WHO manages engagement through a single, Organization-wide electronic tool. [12]

 Member States exercise oversight over WHO's engagement with non-State actors in accordance with the provisions in paragraphs 65 and 66

**FOOTNOTE 10:** The framework is designed to regulate institutional engagements: implementation is closely coordinated with the implementation of other organizational policies regulating conflict of interest in respect of individuals (see paragraph 48).

**FOOTNOTE 11:** As defined in paragraph 38bis.

**FOOTNOTE 12:** WHO uses an electronic tool for managing engagement. As described in footnote 1 of paragraph 38, the publicly visible part of the tool is the register of non-State actors; the tool also provides an electronic workflow for the internal management of engagement. A similar electronic tool is used for the management of individual conflicts of interest, in order to managing engagement. [As described in footnote harmonize the implementation of the framework 1 of paragraph 38,1 the publicly visible part of the with the implementation of the policy on tool is the register of non-State actors; the tool

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communicated coherently [in each of the three levels of the Organization and throughout the Organization. To that end, WHO manages engagement through a single, Organization-wide electronic tool. [12]

Member States need to exercise oversight over WHO's engagement with non-State actors [in accordance with the provisions in paragraphs 65 and 66] With this in mind, the Director-General reports on engagement involving non-State actors to the Executive Board through the Programme, **Budget and Administration Committee and makes** all engagements publicly known through the register of non-State actors.

FOOTNOTE 10: The framework is designed to institutional regulate its engagements; implementation is closely coordinated with the implementation of other organizational policies regulating conflict of interest in respect of individuals (see paragraph 48).

[FOOTNOTE 11: As defined in paragraph 38bis.]

FOOTNOTE 12: WHO uses an electronic tool for

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with the implementation of the policy on	management of individual conflicts of interest for	also provides an electronic workflow for the
management of individual conflicts of interest for	experts.	internal management of engagement. A similar
experts.		electronic tool is used for the management of
		individual conflicts of interest, in order to
		harmonize the implementation of the framework
		with the implementation of the policy on
		management of individual conflicts of interest for
		experts.
23. A conflict of interest arises in circumstances	23. A conflict of interest arises in circumstances	23. A conflict of interest arises in circumstances
where a secondary interest (a vested interest in	where there is potential for a secondary interest (a	where [there is potential for a] secondary interest
the outcome of WHO's work in a given area)	vested interest in the outcome of WHO's work in a	(a vested interest in the outcome of WHO's work
unduly influences, or may reasonably be	given area) to unduly influence, or where it may	in a given area) [to] unduly influences, or [where]
perceived to unduly influence, the independence	be reasonably perceived to unduly influence,	it may be reasonably perceived to unduly
and objectivity of professional judgment or actions	either the independence or objectivity of	influence, [either] the independence and [or]
regarding a primary interest (WHO's work). The	professional judgement or actions regarding a	objectivity of professional judgement or actions
existence of conflict of interest does not as such	primary interest (WHO's work) The existence of	regarding a primary interest (WHO's work) The
mean that improper action has occurred, but	conflict of interest in all its forms does not as such	existence of conflict of interest [in all its forms]
rather that the risk of such improper action	mean that improper action has occurred, but	does not as such mean that improper action has
occurring exists.	rather the risk of such improper action occurring.	occurred, but rather the risk of such improper
	Conflicts of interest are not only financial, but can	action occurring exists. [Conflicts of interest are
	take other forms as well.	not only financial, but can take other forms as
	23bis. Individual conflicts of interests within WHO	well.]
	are those involving experts, regardless of their	[23bis. Individual conflicts of interests within WHO
	status, and staff members; these are addressed in	are those involving experts, regardless of their
	accordance with the policies listed under	status, and staff members; these are addressed in

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	paragraph 48 of the present framework.	accordance with the policies listed under
		paragraph 48 of the present framework.]
24. All institutions have multiple interests, which	24. All institutions have multiple interests, which	24. All institutions have multiple interests,
means that in engaging with non-State actors	means that in engaging with non-State actors	which means that in engaging with non-State
WHO is often faced with a combination of	WHO is often faced with a combination of	actors WHO is often faced with a combination of
converging and conflicting interests. An	converging and conflicting interests. An	converging and conflicting interests. An
institutional conflict of interest is a situation where	institutional conflict of interest is a situation where	institutional conflict of interest is a situation where
WHO's primary interest may be influenced by the	WHO's primary interest as reflected in its	WHO's primary interest [as reflected in its
conflicting interest of a non-State actor in a way	Constitution may be unduly influenced by the	Constitution] may be unduly influenced by the
that affects, or may reasonably be perceived to	conflicting interest of a non-State actor in a way	conflicting interest of a non-State actor in a way
affect, the independence and objectivity of WHO's	that affects, or may reasonably be perceived to	that affects, or may reasonably be perceived to
work.	affect, the independence and objectivity of WHO's	affect, the independence and objectivity of WHO's
	work.	work.
25. In actively managing institutional conflict of	25. In actively managing institutional conflict of	25. In actively managing institutional conflict of
interest and the other risks of engagement	interest and the other risks of engagement	interest and the other risks of engagement
mentioned in paragraph 8 above, WHO aims to	mentioned in paragraph 8 above, WHO aims to	mentioned in paragraph 8 above, WHO aims to
avoid allowing the conflicting interests of a non-	avoid allowing the conflicting interests of a non-	avoid allowing the conflicting interests of a non-
State actor to exert undue influence over the	State actor to exert, or be reasonably perceived to	State actor to exert [, or be reasonably perceived
Organization's decision-making process or to	exert, undue influence over the Organization's	to exert,] undue influence over the Organization's
prevail over its interests.	decision-making process or to prevail over its	decision-making process or to prevail over its
	interests;	interests;
26. For WHO the most important institutional	26. For WHO, the potential risk of institutional	26. For WHO, the most important institutional
conflicts of interest arise in situations where the	conflicts of interest could be the highest in	conflicts of interest arise [the potential risk of
economic interests of private sector entities are in	situations where the interest of non-State actors,	institutional conflicts of interest could be the
conflict with WHO's interests, especially the	in particular economic, commercial or financial,	highest in] situations where the economic

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Organization's independence and impartiality in	are in conflict with WHO's public health policies,
setting norms and standards.	constitutional mandate and interests, in particular
	the Organization's independence and impartiality
	in setting policies, norms and standards.
Due diligence and risk assessment	Due diligence and risk assessment
27. When the possibility of entering into an	27. When the possibility of entering into an

technical unit in the Secretariat conducts an initial

examination in order to establish whether such an

engagement would be in the interest of the

Organization and in line with the priorities defined

in the General Programme of Work and

Programme budget. If this seems to be the case,

the technical unit asks the non-State actor to

provide its basic information. Using the

Organization-wide electronic tool, the unit then

complements this information with a description of

assessment of the benefits and risks involved.

specialized central unit which is responsible for

analysing the information provided.

proposed engagement and its own

information is then transmitted to a

### mandate and interests, in particular tion's independence and impartiality icies, norms and standards.

### e and risk assessment

the possibility of entering into an engagement is being considered, the relevant engagement is being considered, the relevant technical unit in the Secretariat conducts an initial examination in order to establish whether such an engagement would be in the interest of the Organization and in line with the principles of WHO's engagement with non-State actors in paragraph 6 and the priorities defined in the General Programme of Work and Programme budget. If this seems to be the case, the technical unit asks the non-State actor to provide its basic information. Using the Organization-wide electronic tool, the unit then complements this information with a description of the proposed engagement and its own assessment of the benefits and risks involved. This information is then transmitted to a specialized central unit which is responsible for analysing the information | which is responsible for analysing the information

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interests of non-State actors [, in particular economic, commercial or financial, are in conflict with WHO's [public health policies, constitutional mandate and interests, especially [in particular] the Organization's independence and impartiality in setting [policies,] norms and standards.

#### Due diligence and risk assessment

When the possibility of entering into an 27. engagement is being considered, the relevant technical unit in the Secretariat conducts an initial examination in order to establish whether such an engagement would be in the interest of the Organization and in line with the [principles of WHO's engagement with non-State actors in paragraph 6 and the priorities defined in the General Programme of Work and Programme budget. If this seems to be the case, the technical unit asks the non-State actor to provide its basic information. Using the Organization-wide electronic tool, the unit then complements this information with a description of the proposed engagement and its own assessment of the benefits and risks involved. This information is then transmitted to a specialized central unit

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	provided.	provided.
28. Before engaging with any non-State actor,	28. Before engaging with any non-State actor,	28. Before engaging with any non-State actor,
WHO, in order to preserve its integrity, conducts	WHO, in order to preserve its integrity, conducts	WHO, in order to preserve its integrity, conducts
due diligence. This refers to the steps taken by	due diligence and risk assessment. Due diligence	due diligence [and risk assessment]. This [Due
WHO to find and verify information on a non-State	refers to the steps taken by WHO to find and	diligence] refers to the steps taken by WHO to
actor and to reach a basic understanding of its	verify relevant information on a non-State actor	find and verify [relevant] information on a non-
profile. While due diligence refers to the nature of	and to reach a clear understanding of its profile.	State actor and to reach a basic [clear]
the non-State actor concerned, risk assessment	While due diligence refers to the nature of the	understanding of its profile. While due diligence
refers to the assessment of a specific proposed	non-State actor concerned, risk assessment	refers to the nature of the non-State actor
engagement with that non-State actor.	refers to the assessment of a specific proposed	concerned, <b>risk assessment</b> refers to the
	engagement with that non-State actor.	assessment of a specific proposed engagement
		with that non-State actor.
29. Due diligence combines a review of the	29. Due diligence combines a review of the	29. <b>Due diligence</b> combines a review of the
information provided by the non-State actor, a	information provided by the non-State actor, a	information provided by the non-State actor, a
search for information about the entity concerned	search for information about the entity concerned	search for information about the entity concerned
from other sources, and an analysis of all the	from other sources, and an analysis of all the	from other sources, and an analysis of all the
information obtained. This includes a screening of	information obtained. This includes a screening of	information obtained. This includes a screening of
different public and commercial sources of	different public, legal and commercial sources of	different public, legal and commercial sources of
information, including: media; companies' analyst	information, including: media; the entity's website	information, including: media; [the entity's
reports, directories and profiles; and public and	companies' analyst reports, directories and	website], companies' analyst reports, directories
governmental sources (governmental registers,	profiles; and public , legal and governmental	and profiles; and public , [legal] and governmental
charity commissions, registers of trade and	sources.	sources <del>(governmental registers, charity</del>
industry).		commissions, registers of trade and industry).
30. The principal functions of due diligence are to:	30. The core functions of due diligence are to:	30. The principal [core] functions of due
clarify the interest of the entity in engaging with	· clarify the nature and purpose of the entity	diligence are to:

WHO and what they expect in return;

- determine the entity's status, area of activities, governance, sources of funding, constitution, statutes, and by-laws and affiliation;
- define the main elements of the history and activities of the entity in terms of the following: human and labour issues; environmental, ethical and business issues; reputation and image; and financial stability;
- identify "red lines" such as: activities that are incompatible with WHO's work and mandate (e.g. links to the tobacco and arms industries) or that require the Organization to exercise particular caution when engaging with the entity (e.g. links to other industries affecting human health or affected by WHO's norms and standards).[6]

**FOOTNOTE 6:** As described in paragraph 44.

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proposed to engage with WHO;

- clarify the interest and objectives of the entity in engaging with WHO and what it expects in return;
- determine the entity's legal status, area of activities, membership, governance, sources of funding, constitution, statutes, and by-laws and affiliation;
- define the main elements of the history and activities of the entity in terms of the following: health, human and labour issues; environmental, ethical and business issues; reputation and image; and financial stability;

ORIGINAL CHAIR/S PROPOSAL Identify if the nature or activities of a NSA are incompatible with WHO/s work and mandate (e.g. links to be tobacco and arms industries) or if they require the Organization to exercise particular caution when engaging with the entity (e.g. links to other industries affecting human health or affected by WHO/s norms and standards (FOOTNOTE As described in paragraph 44)

<u>OR</u>

[Identify if the nature or activities of a non-State actor and the type of relationship foreseen with

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- [clarify the nature and purpose of the entity proposed to engage with WHO;]
- clarify the interest and objectives of the entity in engaging with WHO and what it expects in return;
- determine the entity's [legal] status, area of activities, [membership], governance, sources of funding, constitution, statutes, and by-laws and affiliation;
- define the main elements of the history and activities of the entity in terms of the following: [health], human and labour issues; environmental, ethical and business issues; reputation and image; and financial stability;

ORIGINAL CHAIR/S PROPOSAL Identify if the nature or activities of a NSA are incompatible with WHO/s work and mandate (e.g. links to be tobacco and arms industries) or if they require the Organization to exercise particular caution when engaging with the entity (e.g. links to other industries affecting human health or affected by WHO/s norms and standards (FOOTNOTE As described in paragraph 44)

OR

actor and the type of relationship foreseen with [Identify if the nature or activities of a non-State

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	WHO are incompatible with WHO's work and	actor and the type of relationship foreseen with
	mandate or if they require the Organization to	WHO are incompatible with WHO's work and
	exercise particular caution when engaging with	mandate or if they require the Organization to
	the entity after applying the provisions of	exercise particular caution when engaging with
	paragraphs 44 and 44bis]	the entity after applying the provisions of
	<u>OR</u>	paragraphs 44 and 44bis]
	[Identify if the nature or activities of a non-State	OR
	actor are incompatible with WHO/s work and	[Identify if the nature or activities of a non-State
	mandate or if they require the Organization to	actor are incompatible with WHO/s work and
	exercise particular caution when engaging]	mandate or if they require the Organization to
		exercise particular caution when engaging]
31. Due diligence also allows the Secretariat for	31. Due diligence also allows the Secretariat for	-NO CHANGES-
the purpose of its engagement to categorize each	the purpose of its engagement to categorize each	31. Due diligence also allows the Secretariat
non-State actor in relation to one of the four	non-State actor in relation to one of the four	for the purpose of its engagement to categorize
groups of non-State actors on the basis of its	groups of non-State actors on the basis of its	each non-State actor in relation to one of the four
nature, objectives, governance, funding,	nature, objectives, governance, funding,	groups of non-State actors on the basis of its
independence and membership. This	independence and membership. This	nature, objectives, governance, funding,
categorization is indicated in the register of non-	categorization is indicated in the register of non-	independence and membership. This
State actors.	State actors.	categorization is indicated in the register of non-
		State actors.
32. Risks are the expression of the likelihood and	32 Risks are the expression of the likelihood	32 Risks are the expression of the likelihood
potential impact of an event that would affect the	and potential impact of an event that would affect	and potential impact of an event that would affect
Organization's ability to achieve its objectives. A	the Organization's ability to achieve its objectives.	the Organization's ability to achieve its objectives.
risk assessment on a proposed engagement is	A risk assessment on a proposed engagement is	A risk assessment on a proposed engagement is
conducted in parallel to due diligence. This	conducted in addition to due diligence. This	conducted in parallel [addition] to due diligence.

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involves the assessment of risks associated with	involves the assessment of risks associated with	This involves the assessment of risks associated
an engagement with a non-State actor, in	an engagement with a non-State actor, in	with an engagement with a non-State actor, in
particular the risks described in paragraph 8.	particular the risks described in paragraph 8.	particular the risks described in paragraph 8.
Risk management	Risk management	Risk management
33. Risk management concerns the process	33. Risk management concerns the process	33. Risk management concerns the process
leading to a management decision on the part of	leading to a management decision whereby the	leading to a management decision on the part of
the Secretariat. The Secretariat decides on entry	Secretariat decides explicitly and justifiably on	the Secretariat. The Secretariat [whereby the
into engagement, continuation of engagement,	entry into engagement,[13] continuation of	Secretariat] decides [explicitly and justifiably] on
engagement with measures to mitigate risks, non-	engagement, engagement with measures to	entry into engagement,[13] continuation of
engagement or disengagement from an existing	mitigate risks, non-engagement or disengagement	engagement, engagement with measures to
or planned engagement with non-State actors on	from an existing or planned engagement with non-	mitigate risks, non-engagement or disengagement
the basis of an explicit management decision. The	State actors. It is a management decision usually	from an existing or planned engagement with non-
management decision is usually taken by the	taken by the unit engaging with the non-State	State actors <del>on the basis of an explicit</del>
management of the unit engaging with a non-	actor.	management decision. The [It is a] management
State actor.	FOOTNOTE 13: Other than decisions related to	decision usually taken by the management of the
	official relations as set out in paragraphs 49 to 55.	unit engaging with the non-State actor.
		[FOOTNOTE 13: Other than decisions related to
		official relations as set out in paragraphs 49 to
		55.]
34. The unit responsible for performing due	34. The specialized unit responsible for	34. The [specialized] unit responsible for
diligence and risk assessment formulates	performing due diligence and risk assessment, as	performing due diligence and risk assessment [,
recommendations on the engagement-related	described in paragraph 27, formulates	as described in paragraph 27,] formulates
options listed in paragraph 33 above. If the	recommendations on the engagement-related	recommendations on the engagement-related
proposing unit agrees with the recommendations	options listed in paragraph 33 above, along with	options listed in paragraph 33 above [, along with
it implements them. If there are disagreements	reasons for such recommendations. If the	reasons for such recommendations]. If the

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they can be referred to the engagement	proposing unit agrees with the recommendations,	proposing unit agrees with the recommendations,
coordination group.	it implements them. If there are disagreements,	it implements them. If there are disagreements,
	they can be referred to the Engagement	they can be referred to the Engagement
	Coordination Group. []	Coordination Group. []
36. In line with WHO's risk management	36. In line with WHO's risk management	36. In line with WHO's risk management
framework, WHO takes a risk-management	framework,[14] WHO takes a risk-management	framework,[14] WHO takes a risk-management
approach to engagement, only entering into an	approach to engagement, only entering into an	approach to engagement, only entering into an
engagement with a non-State actor when the	engagement with a non-State actor when the	engagement with a non-State actor when the
benefits in terms of direct or indirect contributions	benefits in terms of direct or indirect contributions	benefits in terms of direct or indirect contributions
to the fulfilment of the Organization's mandate	to public health and the fulfilment of the	to [public health and] the fulfilment of the
and the public health gains involved clearly justify	Organization's mandate as mentioned in	Organization's mandate [as mentioned in
any residual risk of engagement as well as the	paragraph 7 outweigh any residual risks of	paragraph 7] and the public health gains involved
time and expense involved in establishing and	engagement as mentioned in paragraph 8, as well	clearly justify outweigh any residual risks of
maintaining the engagement.	as the time and expense involved in establishing	engagement [as mentioned in paragraph 8], as
	and maintaining the engagement.	well as the time and expense involved in
	FOOTNOTE 14: See document EB133/10.	establishing and maintaining the engagement.
		[FOOTNOTE 14: See document EB133/10.]
Transparency	Transparency	Transparency
38. The WHO register of non-State actors is an	38. The WHO register of non-State actors is an	38. The WHO register of non-State actors is an
Internet-based, publicly available electronic tool	Internet-based, publicly available electronic tool	Internet-based, publicly available electronic tool
used by the Secretariat[7] to document and	used by the Secretariat [15] to document and	used by the Secretariat [15] to document and
coordinate engagement with non-State actors. It	coordinate engagement with non-State actors. It	coordinate engagement with non-State actors. It
contains the main standard information provided	contains the main standard information provided	contains the main standard information provided
by non-State actors and high-level descriptions of	by non-State actors[16] and high-level	by non-State actors[16] and high-level

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the engagement that WHO has with these
actors.[8] Non-State actors engaging with WHO
are required to provide information on their
organization. This information includes: name,
legal status, objective, governance structure,
composition of main decision-making bodies,
assets, annual income and funding sources, main
relevant affiliations, webpage and one or more
focal points for WHO contacts.
FOOTNOTE 7: The register covers all three levels
of the Organization – global, regional and country
<ul> <li>and includes hosted partnerships and joint</li> </ul>
programmes.

FOOTNOTE 8: Information financial contributions received from non-State actors is documented in this register and in the Programme budget web portal.

39. When the Secretariat decides on an engagement with a non-State actor, a summary of the information submitted by that entity and held in the WHO register of non-State actors is made public.

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descriptions of the engagement that WHO has with these actors (FOOTNOTE PROPOSED BY CHAIR);

**FOOTNOTE 15:** The register of non-State actors is the first level of a tool used by the Secretariat containing four levels of information: a publicly available level, a level made available to Member States, a working level for the Secretariat, and a level of confidential and sensitive information accessible to a limited number of individuals within the Secretariat.

FOOTNOTE 16: Information financial on contributions received from non-State actors is documented in this register and in the Programme Budget web portal.

**IFOOTNOTE PROPOSED BY CHAIR: The** register covers all three levels of the Organization global, regional and country – and includes hosted partnerships and joint programmes] [...]

39. When the Secretariat decides on an engagement with a non-State actor, a summary of the information submitted by that entity and held in the WHO register of non-State actors is made public. The accuracy of the information provided in the WHO register of non-State actors is made

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descriptions of the engagement that WHO has with these actors (FOOTNOTE PROPOSED BY CHAIR);

**FOOTNOTE 15: The register of non-State actors** is the first level of a tool used by the Secretariat containing four levels of information: a publicly available level, a level made available to Member States, a working level for the Secretariat, and a level of confidential and sensitive information accessible to a limited number of individuals within the Secretariat.1

FOOTNOTE 16: financial Information contributions received from non-State actors is documented in this register and in the Programme Budget web portal.

IFOOTNOTE PROPOSED BY CHAIR: The register covers all three levels of the Organization global, regional and country – and includes hosted partnerships and joint programmes]

[...]

#### -NO CHANGES-

When the Secretariat decides on an engagement with a non-State actor, a summary of the information submitted by that entity and held

policies, norms and standards, the Organization's		
42. With regard to the development of WHO's	42. (DELETED)	42. (DELETED)
framework.	actors.[ <i>Text that follows has been parked</i> ]	actors.[Text that follows has been parked]
actors; this shall be applied in conjunction with the	framework for engagement with non-State	framework for engagement with non-State
of the framework for engagement with non-State	maintained on the implementation of the	maintained on the implementation of the
for staff is also maintained on the implementation	with this framework. A guide for staff is also	with this framework]. A guide for staff is also
State actors in their interaction with WHO. A guide	State actors in their interaction with WHO in line	State actors in their interaction with WHO [in line
41. WHO maintains a handbook to guide non-	41. WHO maintains a handbook to guide non-	41. WHO maintains a handbook to guide non-
		where relevant.
where relevant.	where relevant.	relation to future applications for engagement,
relation to future applications for engagement,	relation to future applications for engagement,	register of non-State actors can be considered in
register of non-State actors can be considered in	register of non-State actors can be considered in	"archived". Archived information from the WHO
"archived". Archived information from the WHO	"archived". Archived information from the WHO	updated their information will be marked as
updated their information will be marked as	updated their information will be marked as	are no longer engaged with WHO or that have not
are no longer engaged with WHO or that have not	are no longer engaged with WHO or that have not	actors will be dated. Information on entities that
actors will be dated. Information on entities that	actors will be dated. Information on entities that	Information in the WHO register of non-State
Information in the WHO register of non-State	Information in the WHO register of non-State	themselves annually or upon the request of WHO.
themselves annually or upon the request of WHO.	themselves annually or upon the request of WHO.	must update the information provided on
must update the information provided on	must update the information provided on	40. Non-State actors described in the register
40. Non-State actors described in the register	40. Non-State actors described in the register	-NO CHANGES-
endorsement by WHO.		endorsement by WHO.
concerned and does not constitute any form of	endorsement by WHO.	concerned and does not constitute any form of
the responsibility of the non-State actor	concerned and does not constitute any form of	register is the responsibility of the non-State actor
non-State actor and published in the register is	register is the responsibility of the non-State actor	by the non-State actor and published in the
The accuracy of the information provided by the	by the non-State actor and published in the	public. The accuracy of the information provided
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work can be divided in three main types of		
activity, namely:		
Type 1: Information gathering		
Type 2: Preparation for, elaboration of and		
decision on the normative text		
Type 3: Implementation.		
43. References elsewhere in this framework to the	43. (DELETED)	43. (DELETED)
norms and standard setting process and		
normative work concern the second type of		
activity.		
Association with WHO's name and emblem	Association with WHO's name and emblem	-NO CHANGES-
45. WHO's name and emblem are recognized by	45. WHO's name and emblem are recognized	Association with WHO's name and emblem
the public as symbols of integrity and quality	by the public as symbols of integrity and quality	45. WHO's name and emblem are recognized
assurance. WHO's name, acronym and emblem	assurance. WHO's name, acronym and emblem	by the public as symbols of integrity and quality
shall not, therefore, be used for, or in conjunction	shall not, therefore, be used for, or in conjunction	assurance. WHO's name, acronym and emblem
with, commercial, promotional marketing and	with, commercial, promotional marketing and	shall not, therefore, be used for, or in conjunction
advertisement purposes. Any use of the name or	advertisement purposes. Any use of the name or	with, commercial, promotional marketing and
emblem needs an explicit written authorization by	emblem needs an explicit written authorization by	advertisement purposes. Any use of the name or
the Director-General of WHO.[9]	the Director-General of WHO. [17]	emblem needs an explicit written authorization by
FOOTNOTE 9: See	FOOTNOTE 17: See	the Director-General of WHO. [17]
http://www.who.int/about/licensing/emblem/en/.	http://www.who.int/about/licensing/emblem/en/.	FOOTNOTE 17: See
		http://www.who.int/about/licensing/emblem/en/.
RELATION OF THE FRAMEWORK TO WHO'S	RELATION OF THE FRAMEWORK TO WHO'S	-NO CHANGES-
OTHER POLICIES	OTHER POLICIES	RELATION OF THE FRAMEWORK TO WHO'S
47. This framework replaces the Principles	47. This framework replaces the Principles	OTHER POLICIES

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Governing Relations between the World Health	Governing Relations between the World Health	47. This framework replaces the Principles
Organization and Nongovernmental Organizations		Governing Relations between the World Health
[10] and the Guidelines on interaction with		Organization and Nongovernmental Organizations
commercial enterprises to achieve health	commercial enterprises to achieve health	[18] and the Guidelines on interaction with
outcomes (noted by the Executive Board).[11]	outcomes (noted by the Executive Board). [19]	commercial enterprises to achieve health
FOOTNOTE 10: Basic documents, 47th ed.	, , , , ,	·
Geneva: World Health Organization; 2009: 81–86.		
FOOTNOTE 11: See document		Geneva: World Health Organization; 2009: 81–86.
EB107/2001/REC/2, summary record of the		
twelfth meeting.	twelfth meeting.	EB107/2001/REC/2, summary record of the
		twelfth meeting.
48. The implementation of the framework for	48. The implementation of the policies listed	48. The implementation of the framework for
engagement with non-State actors is coordinated	below as they relate to WHO's engagement with	[policies listed below as they relate to WHO's]
with the following related policies, which remain	non-State actors will be coordinated and aligned	engagement with non-State actors is [will be]
valid:	with the framework of engagement with non-State	coordinated with the following related policies,
	actors. In the event that a conflict is identified, it	which remain valid [and aligned with the
	will be brought to the attention of the Executive	framework of engagement with non-State actors.
	Board through the PBAC.	In the event that a conflict is identified, it will be
		brought to the attention of the Executive Board
		through the PBAC.]
(a) WHO's involvement in external partnerships is	(a) Policy on WHO's engagement with global	(a) [Policy on WHO's engagement with global
regulated by the policy on WHO's engagement	health partnerships and hosting	health partnerships and hosting
with global health partnerships and hosting	arrangements[20].	arrangements[20]. ]
arrangements.[12] For the management of risks of	(i) Hosted partnerships derive their legal	[(i) Hosted partnerships derive their legal
WHO's engagement in these partnerships the	personality from WHO and are subject to the	personality from WHO and are subject to the

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present framework for engagement with non-State	Organization's rules and regulations. Therefore	Organization's rules and regulations. Therefore
actors applies.	the Framework of engagement with non-State	the Framework of engagement with non-State
FOOTNOTE 12: Endorsed by the Health	actors applies to their engagement with non-State	actors applies to their engagement with non-State
Assembly in resolution WHA63.10 on	actors. They have a formal governance structure,	actors. They have a formal governance structure,
partnerships.	separate from that of the WHO governing bodies,	separate from that of the WHO governing bodies,
	in which decisions are taken on direction, work	in which decisions are taken on direction, work
	plans and budgets; and their programmatic	plans and budgets; and their programmatic
	accountability frameworks are also independent	accountability frameworks are also independent
	from those of the Organization. In the same way	from those of the Organization. In the same way
	the framework applies to other hosted entities	the framework applies to other hosted entities
	which are subject to the Organizations Rules and	which are subject to the Organizations Rules and
	Regulations.	Regulations. ]
	(ii) WHO's involvement in external partnerships is	(ii) WHO's involvement in external partnerships is
	regulated by the policy on WHO's engagement	regulated by the policy on WHO's engagement
	with global health partnerships and hosting	with global health partnerships and hosting
	arrangements. The framework of engagement	arrangements. For the management of risks of
	with non-State actors also applies to WHO's	WHO's engagement in these partnerships the
	engagement in these partnerships.	present framework for engagement with non-State
	FOOTNOTE 20: Endorsed by the Health	actors applies. [The framework of engagement
	Assembly in resolution WHA63.10 on partnerships	with non-State actors also applies to WHO's
	and its Annex 1.	engagement in these partnerships.]
		FOOTNOTE 20: Endorsed by the Health
		Assembly in resolution WHA63.10 on partnerships
		and its Annex 1.
(b) The management of WHO's relations with	(b) Regulations for Expert Advisory Panels and	(b) [Regulations for Expert Advisory Panels

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individual experts is regulated by the Regulations	Committees and the Guidelines for Declaration of	
for Expert Advisory Panels and Committees [13]	Interests (WHO Experts).The management of	Declaration of Interests (WHO Experts).] The
and the Guidelines for Declaration of Interests	WHO's relations with individual experts is	management of WHO's relations with individual
(WHO Experts).	regulated by the Regulations for Expert Advisory	experts is regulated by the Regulations for Expert
<b>FOOTNOTE 13:</b> See Basic documents, 47th ed.	Panels and Committees [21] and the Guidelines	Advisory Panels and Committees [21] and the
Geneva: World Health Organization; 2009, pp	for Declaration of Interests (WHO Experts).	Guidelines for Declaration of Interests (WHO
104–112 (http://apps.who.int/gb/bd/	FOOTNOTE 21: See Basic documents, 47th ed.	Experts).
PDF/bd47/EN/basic-documents-47-en.pdf,	Geneva: World Health Organization; 2009, pp	FOOTNOTE 21: See Basic documents, 47th ed.
accessed 1 December 2014).	104–112 (http://apps.who.int/gb/bd/	Geneva: World Health Organization; 2009, pp
	PDF/bd47/EN/basic-documents-47-en.pdf,	104–112 (http://apps.who.int/gb/bd/
	accessed 1 December 2014).	PDF/bd47/EN/basic-documents-47-en.pdf,
		accessed 1 December 2014).
(c) The Organization's Staff Regulations and Staff	(c) Staff Regulations and Staff Rules. All staff	(c) The Organization's Staff Regulations and
Rules and in particular the provisions of	are subject to the Organization's Staff Regulations	Staff Rules [. All staff are subject to the
declaration of interest therein: according to Article	and Staff Rules, noting in particular the provisions	Organization's Staff Regulations and Staff Rules,
1.1 of the Staff Regulations of the World Health	of declaration of interest therein: according to	noting] in particular the provisions of declaration
Organization, all staff members "pledge	Article 1.1 of the Staff Regulations of the World	of interest therein: according to Article 1.1 of the
themselves to discharge their functions and to	Health Organization, all staff members "pledge	Staff Regulations of the World Health
regulate their conduct with the interests of the	themselves to discharge their functions and to	Organization, all staff members "pledge
World Health Organization only in view."	regulate their conduct with the interests of the	themselves to discharge their functions and to
	World Health Organization only in view."	regulate their conduct with the interests of the
		World Health Organization only in view."
(d) Scientific collaborations are regulated by the	(d) Regulations for Study and Scientific Groups,	(d) [Regulations for Study and Scientific Groups,
Regulations for Study and Scientific Groups,	Collaborating Institutions and other Mechanisms	Collaborating Institutions and other Mechanisms
Collaborating Institutions and other Mechanisms	of Collaboration. Scientific collaborations are	of Collaboration.] Scientific collaborations are

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of Collaboration. [14]	regulated by the Regulations for Study and	regulated by the Regulations for Study and
FOOTNOTE 14: Basic documents, 47th ed.	Scientific Groups, Collaborating Institutions and	Scientific Groups, Collaborating Institutions and
Geneva: World Health Organization; 2009,	other Mechanisms of Collaboration. [22]	other Mechanisms of Collaboration. [22]
pp.113–120.	FOOTNOTE 22: Basic documents, 47th ed.	FOOTNOTE 22: Basic documents, 47th ed.
	Geneva: World Health Organization; 2009,	Geneva: World Health Organization; 2009,
	pp.113–120.	pp.113–120.
(e) The procurement of goods and services is	(e) Financial Rules and Financial Regulations.	(e) [Financial Rules and Financial Regulations.]
regulated by the Financial Rules and Financial	(i) The procurement of goods and services is	(i) The procurement of goods and services is
Regulations; [15] it not covered by the framework	regulated by the Financial Rules and	regulated by the Financial Rules and
for engagement with non-State actors, although	Financial Regulations;[23] it is not covered	Financial Regulations;[23] it is not covered
pro-bono contributions from non-State actors are	by the framework for engagement with non-	by the framework for engagement with non-
covered.	State actors, although pro-bono	State actors, although pro-bono
(f) Like any other financing of WHO, financing	contributions from non-State actors are	contributions from non-State actors are
from non-State actors should be considered as	covered.	covered.
part of the financing dialogue and is regulated by	(ii) Like any other financing of WHO,	(ii) Like any other financing of WHO,
the Financial Rules and Financial Regulations; the	financing from non-State actors is regulated	financing from non-State actors should be
decision on accepting such a financial contribution	by the Financial Rules and Financial	considered as part of the financing dialogue
is regulated by this framework.	Regulations and the decision on accepting	and is regulated by the Financial Rules and
FOOTNOTE 15: Basic documents, 47th ed.	such financial contributions is also regulated	Financial Regulations [and] the decision on
Geneva: World Health Organization; 2009, pp.87-	by this framework.	accepting such a financial contribution[s] is
97.	FOOTNOTE 23: Basic documents, 47th ed.	also regulated by this framework.
	Geneva: World Health Organization; 2009, pp.87-	FOOTNOTE 23: Basic documents, 47th ed.
	97. (reference will be changed to 48th edition	Geneva: World Health Organization; 2009, pp.87-
	throughout)	97. (reference will be changed to 48th edition
		throughout)

#### **OFFICIAL RELATIONS**

49. "Official relations" is a privilege that the Executive Board may grant to nongovernmental organizations, international business associations and philanthropic foundations that have had and continue to have a sustained and systematic engagement[16] in the interest of the Organization. The aims and activities of all these entities shall be in conformity with the spirit, purposes and principles of WHO's Constitution, and they shall contribute significantly to the advancement of public health. Organizations in official relations can attend governing body meetings of WHO but are otherwise subject to the same rules as other non-State actors when engaging with WHO.

FOOTNOTE 16: At least two years of systematic engagement as documented in the WHO register of non-State actors, assessed by both parties to be mutually beneficial. Participation in each other's meetings alone is not considered to be a systematic engagement.

50. All entities in official relations shall have a constitution or similar basic document, an

#### **OFFICIAL RELATIONS**

49. "Official relations" is a privilege that the Executive Board may grant to nongovernmental organizations, international business associations and philanthropic foundations that have had and continue to have a sustained and systematic engagement [24] in the interest of the Organization. The aims and activities of all these entities shall be in conformity with the spirit, purposes and principles of WHO's Constitution, and they shall contribute significantly to the advancement of public health. Organizations in official relations can attend governing body meetings of WHO but are otherwise subject to the same rules as other non-State actors when engaging with WHO.

FOOTNOTE 24: At least two years of systematic engagement as documented in the WHO register of non-State actors, assessed by both parties to be mutually beneficial. Participation in each other's meetings alone is not considered to be a systematic engagement.

50. Entities in official relations are international in membership and /or scope. All entities in official

#### **OFFICIAL RELATIONS**

-NO CHANGES-

49. "Official relations" is a privilege that the Executive Board may grant to nongovernmental organizations, international business associations and philanthropic foundations that have had and continue to have a sustained and systematic engagement [24] in the interest of the Organization. The aims and activities of all these entities shall be in conformity with the spirit, purposes and principles of WHO's Constitution, and they shall contribute significantly to the advancement of public health. Organizations in official relations can attend governing body meetings of WHO but are otherwise subject to the same rules as other non-State actors when engaging with WHO.

FOOTNOTE 24: At least two years of systematic engagement as documented in the WHO register of non-State actors, assessed by both parties to be mutually beneficial. Participation in each other's meetings alone is not considered to be a systematic engagement.

50. [Entities in official relations are international in membership and /or scope (taken from para.

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established headquarters, a directing or governing	relations shall have a constitution or similar basic	55). All entities in official relations shall have a
body, an administrative structure, and a regularly	document, an established headquarters, a	constitution or similar basic document, an
updated entry in the WHO register of non-State	governing body, an administrative structure, and a	established headquarters, a directing or governing
actors.	regularly updated entry in the WHO register of	body, an administrative structure, and a regularly
	non-State actors.	updated entry in the WHO register of non-State
		actors.
51. A plan for collaboration based on mutually	51. Official relations shall be based on a plan for	51. [Official relations shall be based on] a plan
agreed objectives and outlining activities for the	collaboration between WHO and the entity with	for collaboration based on [between WHO and the
coming three-year period structured in	agreed objectives and outlining activities for the	entity with] agreed objectives and outlining
accordance with the General Programme of Work	coming three-year period structured in	activities for the coming three-year period
and Programme budget shall form the basis of	accordance with the General Programme of Work	structured in accordance with the General
official relations between WHO and organizations	and Programme budget and consistent with this	Programme of Work and Programme budget [and
in official relations. This plan shall also be	framework. This plan shall also be published in	consistent with this framework] shall form the
published in the WHO register of non-State	the WHO register of non-State actors. These	<del>basis of official relations between WHO and</del>
actors. These organizations shall provide annually	organizations shall provide annually a short report	<del>organizations in official relations</del> . This plan shall
a short report on the progress made in	on the progress made in implementing the plan of	also be published in the WHO register of
implementing the plan of collaboration and other	collaboration and other related activities which will	non-State actors. These organizations shall
related activities which will also be published in	also be published in the WHO register. These	provide annually a short report on the progress
the WHO register.	plans shall be free from concerns which are	made in implementing the plan of collaboration
	primarily of a commercial or profit-making nature.	and other related activities which will also be
		published in the WHO register. These plans shall
		be free from concerns which are primarily of a
		commercial or profit-making nature.]
52. The Executive Board shall be responsible for	52. The Executive Board shall be responsible for	-NO CHANGES-
deciding on the admission of organizations into	deciding on the admission of organizations into	52. The Executive Board shall be responsible

# EB136/5 - CIRCULATED IN DECEMBER 2014 official relations with WHO and shall review this status every three years. The Director-General may propose international nongovernmental organizations, philanthropic foundations and international business associations for admission. The Director-General can also propose an earlier

review based on the experience in the

collaboration with the organization concerned.

official relations with WHO and shall review this status every three years. The Director-General may propose international nongovernmental organizations, philanthropic foundations and international business associations for admission. The Director-General can also propose an earlier review based on the experience in the collaboration with the organization concerned.

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- 53. Non-State actors in official relations are invited to participate in sessions of WHO's governing bodies. Their privileges shall include:
- (a) the right to appoint a representative to participate, without right of vote, in meetings of WHO's governing bodies or in meetings of the committees and conferences convened under its authority;
- (b) the right to make a statement if the Chairman of the meeting (i) invites them to do so or (ii) accedes to their request when an item in which the related entity is particularly interested is being discussed:
- (c) the right to submit the statement referred to in subparagraph (b) above in advance of the debate for the Secretariat to post on a dedicated website.

- 53. Entities in official relations are invited to participate in sessions of WHO's governing bodies. This privilege shall include:
- (a) the possibility to appoint a representative to participate, without right of vote, in meetings of WHO's governing bodies or in meetings of the committees and conferences convened under its authority;
- (b) the possibility to make a statement if the Chairman of the meeting (i) invites them to do so or (ii) accedes to their request when an item in which the related entity is particularly interested is being discussed;
- (c) the possibility to submit the statement referred to in subparagraph (b) above in advance

#### TRACK CHANGES

for deciding on the admission of organizations into official relations with WHO and shall review this status every three years. The Director-General may propose international nongovernmental organizations, philanthropic foundations and international business associations for admission. The Director-General can also propose an earlier review based on the experience in the collaboration with the organization concerned.

- 53. Non-State actors [Entities] in official relations are invited to participate in sessions of WHO's governing bodies. This privilege shall include:
- [possibility] to appoint a (a) the <del>right</del> representative to participate, without right of vote, in meetings of WHO's governing bodies or in meetings of the committees and conferences convened under its authority;
- (b) the right [possibility] to make a statement if the Chairman of the meeting (i) invites them to do so or (ii) accedes to their request when an item in which the related entity is particularly interested is being discussed;
- (c) the <del>right</del> [possibility] to submit the statement referred to in subparagraph (b) above of the debate for the Secretariat to post on a in advance of the debate for the Secretariat to

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These privileges do however not imply any	dedicated website.	post on a dedicated website.
automatic right for other forms of collaboration.		These privileges do however not imply any
		automatic right for other forms of collaboration.
54. Non-State actors participating in WHO	54. Non-State actors participating in WHO	54. Non-State actors participating in WHO
meetings shall designate a head of their	governing bodies' meetings shall designate a	[governing bodies'] meetings shall designate a
delegation and declare the affiliations of their	head of their delegation and declare the	head of their delegation and declare the
delegates. This declaration shall include the	affiliations of their delegates. This declaration	affiliations of their delegates. This declaration
function of each delegate within the non-State	shall include the function of each delegate within	shall include the function of each delegate within
actor itself and, where appropriate, the function of	the non-State actor itself and, where applicable,	the non-State actor itself and, where applicable,
that delegate within any affiliated organization.	the function of that delegate within any affiliated	the function of that delegate within any affiliated
	organization.	organization.
55. Non-State actors in official relations are	55. Regional committees may also decide on a	55. Non-State actors in official relations are
international in membership and/or scope. The	procedure granting accreditation to their meetings	international in membership and/or scope. The
organization or its affiliates can also attend	to other non-State actors not in official relations	<del>organization or its affiliates can also attend</del>
meetings of the regional committees. Regional	with WHO as long as the procedure is managed in	meetings of the regional committees. Regional
committees may decide on a procedure granting	accordance with this framework.	committees may [also] decide on a procedure
accreditation to their meetings to other non-State		granting accreditation to their meetings to other
actors not in official relations as long as the		non-State actors not in official relations [with
procedure is managed in accordance with this		WHO] as long as the procedure is managed in
framework.		accordance with this framework.
Procedure for admitting and reviewing	Procedure for admitting and reviewing	-NO CHANGES-
organizations in official relations	organizations in official relations	Procedure for admitting and reviewing
56. The application for admission into official	56. The application for admission into official	organizations in official relations

relations shall be based on the up-to-date entries in the WHO register of non-State actors, providing all the necessary information as requested on the non-State actor's nature and activities. The application shall include a summary of past collaboration as documented in the register of non-State actors and a three-year plan for collaboration with WHO that has been developed and agreed on jointly by the non-State actor and

WHO.

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relations shall be based on the up-to-date entries in the WHO register of non-State actors, providing all the necessary information as requested on the non-State actor's nature and activities. The application shall include a summary of past engagement as documented in the register of non-State actors and a three-year plan for collaboration with WHO that has been developed and agreed on jointly by the non-State actor and WHO.

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56. The application for admission into official relations shall be based on the up-to-date entries in the WHO register of non-State actors, providing all the necessary information as requested on the non-State actor's nature and activities. The application shall include a summary of past engagement as documented in the register of non-State actors and a three-year plan for collaboration with WHO that has been developed and agreed on jointly by the non-State actor and WHO.

57. A signed letter certifying the accuracy of the application submitted online shall reach WHO headquarters no later than the end of the month of July for submission to the Executive Board at its session the following January. Applications for official relations shall be reviewed to ensure that the established criteria and other requirements are fulfilled as set out in this framework. Applications should be transmitted to the Executive Board members by the Secretariat six weeks before the opening of the January session of the Executive Board at which they will be considered.

57. A signed letter certifying the accuracy of the application for official relations submitted online shall reach WHO headquarters no later than the end of the month of July for submission to the Executive Board at its session the following January. Applications for official relations shall be reviewed to ensure that the established criteria and other requirements are fulfilled as set out in this framework. Applications should be transmitted to the Executive Board members by the Secretariat six weeks before the opening of the January session of the Executive Board at which they will be considered.

57. A signed letter certifying the accuracy of the application [for official relations] submitted online shall reach WHO headquarters no later than the end of the month of July for submission to the Executive Board at its session the following January. Applications for official relations shall be reviewed to ensure that the established criteria and other requirements are fulfilled as set out in this framework. Applications should be transmitted to the Executive Board members by the Secretariat six weeks before the opening of the January session of the Executive Board at which they will be considered.

58. The non-State actors in official relations and the Secretariat are expected to name focal points for collaboration who are responsible for informing each other and their organizations of any developments in the implementation of the plan for collaboration and who are the first points of contact for any changes or problems.

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The entities in official relations and the 58. focal points for Secretariat should name collaboration who are responsible for informing each other and their organizations of any developments in the implementation of the plan for collaboration and who are the first points of contact for any changes or problems.

-NO CHANGES-

58. The entities in official relations and the Secretariat should name focal points for collaboration who are responsible for informing each other and their organizations of any developments in the implementation of the plan for collaboration and who are the first points of contact for any changes or problems.

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59. During the Board's January session, the Programme, Budget and Administration Committee shall consider applications submitted and shall make recommendations to the Board. A representative of an applicant organization may be invited by the Committee to speak before it in connection with that organization's application. Should the applicant organization be considered not to meet the established criteria, and bearing in mind the desirability of ensuring a valuable continuing defined partnership based on objectives and evidenced by a record of successful past collaboration and a framework for future collaborative activities, the Committee may recommend postponement of consideration or rejection of an application.

59. During the Board's January session, the Programme. Budget and Administration Committee shall consider applications submitted and shall make recommendations to the Board. A representative of an applicant organization may be invited by the Committee to speak before it in connection with that organization's application. Should the applicant organization be considered not to meet the established criteria, and bearing in mind the desirability of ensuring a valuable continuing partnership defined based on objectives and evidenced by a record of successful past engagement and a framework for future collaborative activities, the Committee may recommend postponement of consideration or rejection of an application.

#### -NO CHANGES-

During the Board's January session, the 59. Programme, Budget Administration and Committee shall consider applications submitted and shall make recommendations to the Board. A representative of an applicant organization may be invited by the Committee to speak before it in connection with that organization's application. Should the applicant organization be considered not to meet the established criteria, and bearing in mind the desirability of ensuring a valuable partnership continuing based defined objectives and evidenced by a record of successful past engagement and a framework for future collaborative activities, the Committee may recommend postponement of consideration or rejection of an application.

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60. The Board, after considering the	60. The Board, after considering the	-NO CHANGES-
recommendations of the Committee, shall decide	recommendations of the Committee, shall decide	60. The Board, after considering the
whether an organization is to be admitted into	whether an organization is to be admitted into	recommendations of the Committee, shall decide
official relations with WHO. A reapplication from a	official relations with WHO. A reapplication from a	whether an organization is to be admitted into
non-State actor shall not normally be considered	non-State actor shall not normally be considered	official relations with WHO. A reapplication from a
until two years have elapsed since the Board's	until two years have elapsed since the Board's	non-State actor shall not normally be considered
decision on the previous application.	decision on the previous application.	until two years have elapsed since the Board's
		decision on the previous application.
61. The Director-General shall inform each	61. The Director-General shall inform each	61. The Director-General shall inform each
organization of the Board's decision on its	organization of the Board's decision on its	organization of the Board's decision on its
application. The Director-General shall maintain a	application. The Director-General shall document	application. The Director-General shall document
list of the organizations admitted into official	decisions taken within the Secretariat and by the	decisions taken within the Secretariat and by the
relations, reflect these privileges in the WHO	Executive Board on applications from non-State	Executive Board on applications from non-State
register of non-State actors, and document	actors, reflect this status in the WHO register of	actors, reflect this status in the WHO register of
decisions taken within the Secretariat and by the	non-State actors, and maintain a list of the	non-State actors, and maintain a list of the
Executive Board on applications from non-State	organizations admitted into official relations.	organizations admitted into official relations.
actors.		[In the second part of the paragraph, the elements
		were only reordered and "these privileges" was
		changed for "this status" with regard to official
		relations]
62. The Board, through its Programme, Budget	62. The Board, through its Programme, Budget	62. The Board, through its Programme, Budget
and Administration Committee, shall review	and Administration Committee, shall review	and Administration Committee, shall review
collaboration with each non-State actor every	collaboration with each non-State actor in official	collaboration with each non-State actor [in official
three years and shall determine the desirability of	relations every three years and shall decide on	relations] every three years and shall determine
maintaining official relations or defer the decision	the desirability of maintaining official relations or	[decide on] the desirability of maintaining official

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on the review to the following year. The Board's	defer the decision on the review to the following	relations or defer the decision on the review to the
review shall be spread over a three-year period,	year. The Board's review shall be spread over a	following year. The Board's review shall be spread
one third of the non-State actors in official	three-year period, one third of the entities in	over a three-year period, one third of the non-
relations being reviewed each year.	official relations being reviewed each year.	State actors [entities] in official relations being
		reviewed each year.
63. The Director-General can propose earlier	63. The Director-General can propose earlier	63. The Director-General can propose earlier
reviews of a non-State actor's official relations	reviews of a non-State actor's official relations	reviews of a non-State actor's official relations
with WHO in case of difficulties, such as non-	with WHO by the Executive Board through its	with WHO [by the Executive Board through its
fulfilment of the entity's part in the plan of	Programme, Budget and Administration	Programme, Budget and Administration
collaboration, lack of contact, failure by the non-	Committee in case of issues such as non-	Committee] in case of difficulties [issues] such as
State actor to fulfil its reporting requirements or	fulfilment of the entity's part in the plan of	non-fulfilment of the entity's part in the plan of
changes in the nature or activities of the	collaboration, lack of contact, failure by the non-	collaboration, lack of contact, failure by the non-
organization concerned, the non-State actor	State actor to fulfil its reporting requirements or	State actor to fulfil its reporting requirements or
ceasing to fulfil the criteria for admission, or any	changes in the nature or activities of the	changes in the nature or activities of the
potential new risks for the collaboration.	organization concerned, the non-State actor	organization concerned, the non-State actor
	ceasing to fulfil the criteria for admission, or any	ceasing to fulfil the criteria for admission, or any
	potential new risks for the collaboration.	potential new risks for the collaboration.
64. The Board may discontinue official relations if	64. The Board may discontinue official relations	-NO CHANGES-
it considers that such relations are no longer	if it considers that such relations are no longer	64. The Board may discontinue official
appropriate or necessary in the light of changing	appropriate or necessary in the light of changing	relations if it considers that such relations are no
programmes or other circumstances. Similarly, the	programmes or other circumstances. Similarly, the	longer appropriate or necessary in the light of
Board may suspend or discontinue official	Board may suspend or discontinue official	changing programmes or other circumstances.
relations if an organization no longer meets the	relations if an organization no longer meets the	Similarly, the Board may suspend or discontinue
criteria that applied at the time of the	criteria that applied at the time of the	official relations if an organization no longer meets
establishment of such relations, fails to update its	establishment of such relations, fails to update its	the criteria that applied at the time of the

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information and report on the collaboration in the	information and report on the collaboration in the	establishment of such relations, fails to update its
WHO register on non-State actors or fails to fulfil	WHO register on non-State actors or fails to fulfil	information and report on the collaboration in the
its part in the agreed programme of collaboration.	its part in the agreed programme of collaboration.	WHO register on non-State actors or fails to fulfil
		its part in the agreed programme of collaboration.
OVERSIGHT OF ENGAGEMENT	OVERSIGHT OF ENGAGEMENT	OVERSIGHT OF ENGAGEMENT
65. The Executive Board, through its Programme,	65. The Executive Board, through its	65. The Executive Board, through its
Budget and Administration Committee, oversees	Programme, Budget and Administration	Programme, Budget and Administration
the implementation of WHO's policy on	Committee, oversees the implementation of	Committee, oversees the implementation of
engagement with non-State actors, proposes	WHO's framework of engagement with non-State	WHO's policy on [framework of] engagement with
revisions to the framework and can grant the	actors, proposes revisions to the framework and	non-State actors, proposes revisions to the
privileges of official relations to international	can grant the privileges of official relations to	framework and can grant the privileges of official
nongovernmental organizations, philanthropic	international nongovernmental organizations,	relations to international nongovernmental
foundations and international business	philanthropic foundations and international	organizations, philanthropic foundations and
associations.	business associations.	international business associations.
66. The Programme Budget and Administration	66. The Programme Budget and Administration	66. The Programme Budget and Administration
Committee shall review, provide guidance and, as	Committee shall review, provide guidance and, as	Committee shall review, provide guidance and, as
appropriate, make recommendations to the	appropriate, make recommendations to the	appropriate, make recommendations to the
Executive Board on:	Executive Board on:	Executive Board on:
(a) oversight of WHO's implementation of the	(a) oversight of WHO's implementation	(a) oversight of WHO's implementation
framework for engagement with non-State actors	of the framework for engagement with non-	of the framework for engagement with non-
including:	State actors including:	State actors including:
(i) consideration of the annual report on	(i) consideration of the annual report on	(i) consideration of the annual report on
engagement with non-State actors submitted by	engagement with non-State actors submitted	engagement with non-State actors submitted
the Director-General	by the Director-General	by the Director-General
(ii) any other matter on engagement referred to	(ii) any other matter on engagement referred	(ii) any other matter on engagement referred

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the Committee by the Board	to the Committee by the Board	to the Committee by the Board
(b) non-State actors in official relations with WHO,	(b) entities in official relations with	(b) non-State actors [entities] in official
including:	WHO, including:	relations with WHO, including:
(i) proposals for admitting non-State actors into	(i) proposals for admitting non-State actors	(i) proposals for admitting non-State actors
official relations	into official relations	into official relations
(ii) review of renewals of non-State actors in	(ii) review of renewals of entities in official	(ii) review of renewals of non-State actors
official relations	relations	[entities] in official relations
(c) any proposal, when needed, for revision of the	(c) any proposal, when needed, for	(c) any proposal, when needed, for revisions
framework of engagement with non-State actors.	revisions of the framework of engagement	of the framework of engagement with non-State
	with non-State actors.	actors.

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NON-COMPLIANCE WITH THIS FRAMEWORK	NON-COMPLIANCE WITH THIS FRAMEWORK	-NO CHANGES-
68. Non-compliance by a non-State actor with the	68. Non-compliance by a non-State actor with	NON-COMPLIANCE WITH THIS FRAMEWORK
provisions of this framework can have	the provisions of this framework can have	68. Non-compliance by a non-State actor with
consequences for the entity concerned after due	consequences for the entity concerned after due	the provisions of this framework can have
process including a reminder, a warning, a cease-	process including a reminder, a warning, a cease-	consequences for the entity concerned after due
and-desist letter, a rejection of renewal of	and-desist letter, a rejection of renewal of	process including a reminder, a warning, a cease-
engagement and termination of engagement. The	engagement and termination of engagement. The	and-desist letter, a rejection of renewal of
review of the status of official relations by the	review of the status of official relations by the	engagement and termination of engagement. The
Executive Board can be anticipated and non-	Executive Board can be anticipated and non-	review of the status of official relations by the
compliance can be the reason for non-renewal of	compliance can be the reason for non-renewal of	Executive Board can be anticipated and non-
official relations. Except in the case of important	official relations. Except in the case of important	compliance can be the reason for non-renewal of
and intentional cases of non-compliance the non-	and intentional cases of non-compliance the non-	official relations. Except in the case of important
State actor concerned should not be automatically	State actor concerned should not be automatically	and intentional cases of non-compliance the non-
excluded from other engagements with WHO.	excluded from other engagements with WHO.	State actor concerned should not be automatically
		excluded from other engagements with WHO.
69. Any financial contribution received by WHO	69. Any financial contribution received by WHO	-NO CHANGES-
that is subsequently discovered to be non-	that is subsequently discovered to be	69. Any financial contribution received by WHO
compliant with the terms of this framework shall	non-compliant with the terms of this framework	that is subsequently discovered to be
be returned to the contributor.	shall be returned to the contributor.	non-compliant with the terms of this framework
		shall be returned to the contributor.
MONITORING AND EVALUATION OF THE	MONITORING AND EVALUATION OF THE	-NO CHANGES-
FRAMEWORK	FRAMEWORK	MONITORING AND EVALUATION OF THE
70. The implementation of the framework will be	70. The implementation of the framework will be	FRAMEWORK
constantly monitored internally through the	constantly monitored internally through the	70. The implementation of the framework will
engagement coordination group and by the	engagement coordination group and by the	be constantly monitored internally through the

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Executive Board through the Programme, Budget	Executive Board through its Programme, Budget	engagement coordination group and by the
and Administration Committee in the annual	and Administration Committee in the annual report	Executive Board through its Programme, Budget
report on engagement with non-State actors and	on engagement with non-State actors and the	and Administration Committee in the annual report
the assessment of information available in the	assessment of information available in the register	on engagement with non-State actors and the
register of non-State actors.	of non-State actors.	assessment of information available in the register
		of non-State actors.
71. Furthermore, the implementation of the	71. Furthermore, the implementation of the	-NO CHANGES-
framework should be periodically evaluated. The	framework should be periodically evaluated. The	71. Furthermore, the implementation of the
results of such evaluation, together with any	results of such evaluation, together with any	framework should be periodically evaluated. The
proposals for revisions of the framework, shall	proposals for revisions of the framework, shall	results of such evaluation, together with any
also be submitted to the Executive Board through	also be submitted to the Executive Board through	proposals for revisions of the framework, shall
the Programme, Budget and Administration	its Programme, Budget and Administration	also be submitted to the Executive Board through
Committee.	Committee.	its Programme, Budget and Administration
		Committee.

# DRAFT WHO POLICY AND OPERATIONAL PROCEDURES ON ENGAGEMENT WITH NONGOVERNMENTAL ORGANIZATIONS

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1. Nongovernmental organizations make	1. DELETED	1. DELETED
important contributions to global health because		
they often have deep roots in local communities,		
have special flexibilities to respond to health		
needs, represent affected populations and other		
key groups, and promote innovative solutions.		
Therefore WHO engages with this group of key		
actors in global health in order to leverage their		
support in the fulfilment of WHO's mandate.		
2. This policy regulates specifically WHO's	2. This policy regulates specifically WHO's	-NO CHANGES-
engagement with nongovernmental organizations	engagement with nongovernmental organizations	2. This policy regulates specifically WHO's
by type of interaction. [1] The generic provisions	by type of interaction.[1] The generic provisions of	engagement with nongovernmental organizations
of the framework also apply to all engagements	the framework also apply to all engagements with	by type of interaction.[1] The generic provisions of
with nongovernmental organizations.	nongovernmental organizations.	the framework also apply to all engagements with
FOOTNOTE 1: See paragraphs 15-21 of the	FOOTNOTE 1: See paragraphs 15-21 of the	nongovernmental organizations.
overarching framework for the five types of	overarching framework for the five types of	FOOTNOTE 1: See paragraphs 15-21 of the
interaction.	interaction.	overarching framework for the five types of
		interaction.
PARTICIPATION	PARTICIPATION	PARTICIPATION
Participation by nongovernmental organizations in	Participation by nongovernmental organizations in	Participation by nongovernmental organizations in
WHO meetings[2]	WHO meetings [2]	WHO meetings [2]
3. WHO can hold consultations with	3. WHO can invite nongovernmental	3. WHO can hold consultations with [invite]
nongovernmental organizations in the preparation	organizations to participate in consultations,	nongovernmental organizations [to participate in
of policies. Consultations can be electronic or in	hearings or other meetings in accordance with	consultations, hearings or other meetings in

person, and may take the form of hearings at
which nongovernmental organizations can
present their views. The format of such
consultations is decided on a case-by-case basis
either by the governing body at the session at
which a hearing or consultation is mandated or in
other cases by the Secretariat.

**FOOTNOTE 2:** Other than sessions of the governing bodies, which are regulated by the policy on management of engagement.

paragraph 16 of the overarching framework. Consultations and hearings can be electronic or in person.

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FOOTNOTE 2: Other than sessions of the governing bodies, which are regulated by the policy on management of engagement.

- WHO invite nongovernmental 4. can organizations to participate in other WHO meetings. Such participation is on the basis of discussion item in which nongovernmental organization has a particular interest and where its participation adds value to deliberations of the meeting. participation is for the exchange of information and views, but never for the formulation of advice.
- Participation in other meetings is on the basis of discussion of an item in which the nongovernmental organization has a particular interest and where its participation adds value to deliberations of the meeting. Such participation is for the exchange of information and views, but never for the formulation of advice. 4bis. The nature participation nongovernmental organizations depends on the type of meeting concerned. The format, modalities. participation and the

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accordance with paragraph 16 of the overarching framework] in the preparation of policies. Consultations [and hearings] can be electronic or in person , and may take the form of hearings at which nongovernmental organizations can present their views. The format of such consultations is decided on a case-by-case basis either by the governing body at the session at which a hearing or consultation is mandated or in other cases by the Secretariat. [This language is the one provided on para. 16]

FOOTNOTE 2: Other than sessions of the governing bodies, which are regulated by the policy on management of engagement.

WHO can invite nongovernmental organizations to participate in other WHO meetings. Such Participation [in other meetings] is on the basis of discussion of an item in which the nongovernmental organization has a particular interest and where its participation adds value to the deliberations of the meeting. Such participation is for the exchange of information and views, but never for the formulation of advice. [4bis. The nature participation nongovernmental organizations depends on the

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	nongovernmental organizations in consultations,
	hearings, and other meetings is decided on a
	case-by-case basis by the WHO governing bodies
	or by the Secretariat. Participation and inputs
	received from nongovernmental organizations
	shall be made publicly available, wherever
	possible. Nongovernmental organizations do not
	take part in any decision making process of the
	Organization.

# Involvement of the Secretariat in meetings organized by nongovernmental organizations

5. WHO can organize joint meetings, or meetinas organized cosponsor bν nongovernmental organizations, as long as the integrity and independence of the Organization are preserved, and as long as this participation furthers WHO's objectives as expressed in the General Programme of Work. WHO staff members may participate in meetings organized by nongovernmental organizations in accordance with the internal rules of the Organization. WHO's participation meetings in organized nongovernmental organizations does not l

# Involvement of the Secretariat in meetings organized by nongovernmental organizations

WHO can organize joint meetings, 5. cosponsor meetinas organized nongovernmental organizations, as long as the integrity, independence and reputation (TO ALIGN WITH OTHER POLICIES) of the Organization are preserved, and as long as this participation furthers WHO's objectives as expressed in the General Programme of Work. WHO staff members may participate in meetings organized by nongovernmental organizations in accordance with the internal rules of the Organization. The nongovernmental organization shall not

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type of meeting concerned. The format. modalities, participation and the nongovernmental organizations in consultations, hearings, and other meetings is decided on a case-by-case basis by the WHO governing bodies or by the Secretariat. Participation and inputs received from nongovernmental organizations shall be made publicly available, wherever possible. Nongovernmental organizations do not take part in any decision making process of the Organization.]

Involvement of the Secretariat in meetings organized by nongovernmental organizations

WHO can organize joint meetings, cosponsor meetings organized by nongovernmental organizations, as long as the integrity, independence and reputation (TO ALIGN WITH OTHER POLICIES) of the Organization are preserved, and as long as this participation furthers WHO's objectives as expressed in the General Programme of Work. WHO staff members may participate in meetings organized by nongovernmental organizations in accordance with the internal rules of the Organization. The nongovernmental organization shall not

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constitute official WHO support for, or	misrepresent WHO's participation as official WHO	misrepresent] WHO's participation in meetings
endorsement of, that nongovernmental	support for, or endorsement of, the meeting, and	organized by nongovernmental organizations
organization, and shall not be used for	shall agree not to use WHO's participation for	does not constitute [as] official WHO support for,
promotional purposes.	promotional purposes.	or endorsement of, that nongovernmental
		organization the meeting, and shall not be used
		[agree not to use WHO's participation] for
		promotional purposes.
Operational procedures	Specific policies and operational procedures	Specific policies and operational procedures
6. The participation of WHO in meetings	6. The participation of WHO in meetings	6. The participation of WHO in meetings
organized by nongovernmental organizations as	organized by nongovernmental organizations as	organized by nongovernmental organizations as
co-organizers, cosponsors, panellists or speakers	co-organizers, cosponsors, panellists or speakers	co-organizers, cosponsors, panellists or speakers
shall be managed according to the provisions of	shall be managed according to the provisions of	shall be managed according to the provisions of
the framework for engagement with non-State	this Framework the framework for engagement	this Framework the framework for engagement
actors.	with non-State actors.	with non-State actors.
RESOURCES	RESOURCES	-NO CHANGES-
8. WHO can provide resources to a	8. WHO can provide resources to a	RESOURCES
nongovernmental organization for implementation	nongovernmental organization for implementation	8. WHO can provide resources to a
of particular work in accordance with the	of particular work in accordance with the	nongovernmental organization for implementation
Programme budget, the Financial Regulations	Programme budget, the Financial Regulations and	of particular work in accordance with the
and Financial Rules and other applicable rules	Financial Rules and other applicable rules and	Programme budget, the Financial Regulations and
and policies. The resources concerned can be	policies. The resources concerned can be either	Financial Rules and other applicable rules and
either for a project of the institution which WHO	for a project of the institution which WHO	policies. The resources concerned can be either
considers merits support and is consistent with	considers merits support and is consistent with	for a project of the institution which WHO
WHO's programme of work, or for a project	WHO's programme of work, or for a project	considers merits support and is consistent with

organized or coordinated by WHO. The former organized or coordinated by WHO. The former WHO's programme of work, or for a project

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constitutes a grant, the latter a service.	constitutes a grant, the latter a service.	organized or coordinated by WHO. The former
		constitutes a grant, the latter a service.
Specific policies and operational procedures	Specific policies and operational procedures	-NO CHANGES-
9. Any acceptance of resources from a	9. Any acceptance of resources from a	Specific policies and operational procedures
nongovernmental organization is handled in	nongovernmental organization is handled in	9. Any acceptance of resources from a
accordance with the provisions of this framework	accordance with the provisions of this framework	nongovernmental organization is handled in
and relevant other rules such as the Staff	and relevant other rules such as the Staff	accordance with the provisions of this framework
Regulations and Staff Rules, the Financial	Regulations and Staff Rules, the Financial	and relevant other rules such as the Staff
Regulations and Financial Rules and WHO's	Regulations and Financial Rules and WHO's	Regulations and Staff Rules, the Financial
policies governing procurement.	policies governing procurement.	Regulations and Financial Rules and WHO's
		policies governing procurement.
11. Acknowledgements shall usually be worded	11. Acknowledgements shall usually be worded	-NO CHANGES-
along the following lines: "The World Health	along the following lines: "The World Health	11. Acknowledgements shall usually be worded
Organization gratefully acknowledges the financial	Organization gratefully acknowledges the financial	along the following lines: "The World Health
contribution of [NGO] towards [description of the	contribution of [Nongovernmental organization]	Organization gratefully acknowledges the financial
outcome or activity]".	towards [description of the outcome or activity]".	contribution of [Nongovernmental organization]
		towards [description of the outcome or activity]".
12. Contributions received from nongovernmental	12. Contributions received from	-NO CHANGES-
organizations are listed in the financial report and	nongovernmental organizations are listed in the	12. Contributions received from
audited financial statements of WHO as well as	financial report and audited financial statements of	nongovernmental organizations are listed in the
the Programme budget web portal and the WHO	WHO as well as the Programme budget web	financial report and audited financial statements of
register of non-State actors.	portal and the WHO register of non-State actors.	WHO as well as the Programme budget web
		portal and the WHO register of non-State actors.

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#### TRACK CHANGES

#### **EVIDENCE**

14. Nongovernmental organizations can provide up-to-date information and knowledge on technical issues, and share their experience and engage with WHO in the following: generation of evidence, knowledge management, scientific reviews, information gathering and research.

#### **EVIDENCE**

14 Nongovernmental organizations may provide their up-to-date information and knowledge on technical issues, and share their experience with WHO, as appropriate, subject to the provisions of the overarching framework, and this specific policy and operational procedures, and other applicable WHO rules, policies and procedures. Such contribution should be made publicly available, as appropriate, wherever possible. Scientific evidence generated should be made publicly available.

#### **EVIDENCE**

14 Nongovernmental organizations can [may] [their] up-to-date information and provide knowledge on technical issues, and share their experience and engage with WHO in the following: generation of evidence, knowledge management, scientific reviews, information gathering and research. [, as appropriate, subject to the provisions of the overarching framework, this specific policy and operational procedures, and other applicable WHO rules, policies and procedures. Such contribution should be made publicly available, as appropriate, wherever possible. Scientific evidence generated should be made publicly available.]

#### **ADVOCACY**

15. WHO collaborates with nongovernmental organizations on advocacy for health and increasing awareness of health issues; for changing behaviours in the interest of public health; and for fostering collaboration and greater coherence between non-State actors where joint action is required.

## **ADVOCACY**

#### **VERSION AS OF 10 JULY**

15. WHO collaborates with nongovernmental organizations on advocacy for health and increasing awareness of health issues; for changing behaviours in the interest of public health; and for fostering collaboration and greater coherence between non-State actors where joint action is required.

-NO CHANGES-

#### **ADVOCACY**

#### **VERSION AS OF 10 JULY**

organizations on advocacy for health and increasing awareness of health issues; for changing behaviours in the interest of public health; and for fostering collaboration and greater coherence between non-State actors where joint action is required.

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16. WHO favours independent monitoring	16. Nongovernmental organizations are	16. WHO favours independent monitoring
functions and therefore engages with	encouraged to disseminate WHO's policies,	functions and therefore engages with
nongovernmental organizations working in this	guidelines, norms and standards and other tools	nongovernmental organizations working in this
field. Nongovernmental organizations are	through their networks	field.[The issue of watchdog NGOs is under
encouraged to disseminate WHO's policies,	[]	discussion on para. 16.bis] Nongovernmental
guidelines, norms and standards and other tools		organizations are encouraged to disseminate
through their networks so as to extend WHO's		WHO's policies, guidelines, norms and standards
own reach.		and other tools through their networks so as to
		extend WHO's own reach.
		[]

## DRAFT WHO POLICY AND OPERATIONAL PROCEDURES ON ENGAGEMENT WITH PRIVATE SECTOR ENTITIES

EB136/5 – CIRCULATED IN DECEMBER 2014	WORKING DRAFT FOR OCTOBER MEETINGS	TRACK CHANGES
1. Private sector entities are key players in global	1. DELETED	1. DELETED
health as providers, both within and beyond the		
health sector, of goods and services that can		
have important effects on health. Therefore WHO		
engages with this group of key actors in global		
health to improve their positive contribution, limit		
their negative effects on health and leverage their		
support in the fulfilment of WHO's mandate.		
PARTICIPATION	PARTICIPATION	PARTICIPATION
Participation by private sector entities in WHO	Participation by private sector entities in WHO	Participation by private sector entities in WHO
meetings [2]	meetings [2]	meetings [2]
4. WHO can hold consultations with private sector	4. WHO can invite private sector entities to	4. WHO can-hold consultations with [invite]
entities in the preparation of policies.	participate in consultations, hearings or other	private sector entities [to participate in
Consultations can be electronic or in person, and	meetings in accordance with paragraph 16 of the	consultations, hearings or other meetings in
may take the form of hearings at which private	overarching framework. Consultations and	accordance with paragraph 16 of the overarching
sector entities can present their views. The format	hearings can be electronic or in person.	framework] <del>in the preparation of policies</del> .
of such consultations is decided on a case-by-	FOOTNOTE 2: Other than sessions of the	Consultations [and hearings] can be electronic or
case basis either by the governing body at the	governing bodies, which are regulated by the	in person <del>, and may take the form of hearings at</del>
session at which a hearing or consultation is	policy on management of engagement.	which private sector entities can present their
mandated or in other cases by the Secretariat.		views. The format of such consultations is
FOOTNOTE 2: Other than sessions of the		decided on a case-by-case basis either by the
governing bodies, which are regulated by the		governing body at the session at which a hearing
policy on management of engagement.		or consultation is mandated or in other cases by
		the Secretariat. [This language is the one

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		provided on para. 16]
		FOOTNOTE 2: Other than sessions of the
		governing bodies, which are regulated by the
		policy on management of engagement.
5. WHO can invite private sector entities to	5. Participation in other meetings is on the	5. WHO can invite private sector entities to
participate in other WHO meetings. Such	basis of discussion of an item in which the private	participate in other WHO meetings. Such
participation is on the basis of discussion of an	sector entity has a particular interest and where its	Participation [in other meetings] is on the basis of
item in which the private sector entity has a	participation adds value to the deliberations of the	discussion of an item in which the private sector
particular interest and where its participation adds	meeting. Such participation is for the exchange of	entity has a particular interest and where its
value to the deliberations of the meeting. Such	information and views, but never for the	participation adds value to the deliberations of the
participation is also for the exchange of	formulation of advice.	meeting. Such participation is for the exchange of
information and views, but not for the formulation	5bis The nature of participation of private sector	information and views, but never for the
of advice.	entities depends on the type of meeting	formulation of advice.
	concerned. The format, modalities, and the	[5bis The nature of participation of private sector
	participation of private sector entities in	entities depends on the type of meeting
	consultations, hearings, and other meetings is	concerned. The format, modalities, and the
	decided on a case-by-case basis by the WHO	participation of private sector entities in
	governing bodies or by the Secretariat.	consultations, hearings, and other meetings is
	Participation and inputs received from private	decided on a case-by-case basis by the WHO
	sector entities shall be made publicly available,	governing bodies or by the Secretariat.
	wherever possible. Private sector entities do not	Participation and inputs received from private
	take part in any decision making process of the	sector entities shall be made publicly available,
	Organization.	wherever possible. Private sector entities do not
		take part in any decision making process of the
		Organization.]

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Involvement of the Secretariat in meetings	Involvement of the Secretariat in meetings	-NO CHANGES-
organized by private sector entities	organized by private sector entities	Involvement of the Secretariat in meetings
6. WHO staff members may participate in	6. WHO staff members may participate in	organized by private sector entities
meetings organized by a private sector entity as	meetings organized by a private sector entity as	6. WHO staff members may participate in
long as the integrity, independence and reputation	long as the integrity, independence and reputation	meetings organized by a private sector entity as
of the Organization are preserved and as long as	of the Organization are preserved and as long as	long as the integrity, independence and reputation
this participation furthers WHO's objectives as	this participation furthers WHO's objectives as	of the Organization are preserved and as long as
expressed in the General Programme of Work.	expressed in the General Programme of Work.	this participation furthers WHO's objectives as
The private sector entity shall not misrepresent	The private sector entity shall not misrepresent	expressed in the General Programme of Work.
WHO's participation as official WHO support for,	WHO's participation as official WHO support for,	The private sector entity shall not misrepresent
or endorsement of, the meeting, and shall agree	or endorsement of, the meeting, and shall agree	WHO's participation as official WHO support for,
not to use WHO's participation for commercial	not to use WHO's participation for commercial	or endorsement of, the meeting, and shall agree
and/or promotional purposes.	and/or promotional purposes.	not to use WHO's participation for commercial
		and/or promotional purposes.
Specific policies and operational procedures	Specific policies and operational procedures	Specific policies and operational procedures
7. The participation of WHO staff members in	7. The participation of WHO staff members in	7. The participation of WHO staff members in
meetings of private sector entities as panellists,	meetings of private sector entities as panellists,	meetings of private sector entities as panellists,
speakers or in any other capacity shall be	speakers or in any other capacity shall be	speakers or in any other capacity shall be
managed according to the provisions of the	managed according to the provisions of the	managed according to the provisions of the
framework for engagement with non-State actors.	overarching framework and this specific policy.	[overarching] framework for engagement with
		non-State actors [and this specific policy].
8. WHO does not cosponsor meetings organized	8. WHO does not cosponsor meetings	8. WHO does not cosponsor meetings
by specific private sector entities. It may, however,	organized wholly or partly by private sector	organized [wholly or partly] by specific private
cosponsor a meeting for which the scientific	entities. It may, however, cosponsor a meeting for	sector entities. It may, however, cosponsor a
initiators have hired a commercial conference	which the scientific initiators have hired a	meeting for which the scientific initiators have

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organizer to deal with the logistical aspects,	commercial conference organizer to deal with the	hired a commercial conference organizer to deal
provided that the commercial organizer makes no	logistical aspects, provided that the commercial	with the logistical aspects, provided that the
contribution to the scientific content of the	organizer makes no contribution to the scientific	commercial organizer makes no contribution to
meeting.	content of the meeting.	the scientific content of the meeting.
9. WHO does not cosponsor meetings with one or	9. WHO does not cosponsor meetings	9. WHO does not cosponsor meetings with
more health-related private sector entities. Other	organized by other actors where one or more	[organized by other actors where] one or more
instances of cosponsorship with private sector	health-related private sector entities are also	health-related private sector entities [are also
entities should be reviewed on a case-by-case	cosponsors. Other instances of cosponsorship of	cosponsors]. Other instances of cosponsorship
basis and are subject to the provisions of the	meetings organized by other actors where non	with [of meetings organized by other actors where
framework and this policy.	health-related private sector entities are also	non health-related] private sector entities [are also
	cosponsors should be reviewed on a case-by-	cosponsors] should be reviewed on a case-by-
	case basis and are subject to the provisions of	case basis and are subject to the provisions of the
	this framework.	[this] framework and this policy.
10. There shall be no commercial exhibitions on	10. There shall be no commercial exhibitions on	-NO CHANGES-
WHO premises and at WHO's meetings.	WHO premises and at WHO's meetings.	10. There shall be no commercial exhibitions on
		WHO premises and at WHO's meetings.
11. WHO does not cosponsor commercial	11. WHO does not cosponsor commercial	-NO CHANGES-
exhibitions, whether as part of meetings	exhibitions, whether as part of meetings organized	11. WHO does not cosponsor commercial
organized by private sector entities or as part of	by private sector entities or as part of meetings	exhibitions, whether as part of meetings organized
meetings organized by other actors.	organized by other actors.	by private sector entities or as part of meetings
		organized by other actors.
RESOURCES	RESOURCES	-NO CHANGES-
12. The level of risk associated with the	VERSION AS OF 10 JULY	RESOURCES
acceptance of resources from private sector	12. The level of risk associated with the	VERSION AS OF 10 JULY
entities depends on the field of activity of the	acceptance of resources from private sector	12. The level of risk associated with the

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private sector entity, the WHO activity for which	entities depends on the field of activity of the	acceptance of resources from private sector
the resources are used and the modalities of the	private sector entity, the WHO activity for which	entities depends on the field of activity of the
contributions.	the resources are used and the modalities of the	private sector entity, the WHO activity for which
	contributions.	the resources are used and the modalities of the
		contributions.
(a)	<mark>(a)</mark>	<mark>(a)</mark>
(b) Funds may not be sought or accepted from	(b) Funds may not be sought or accepted from	-NO CHANGES-
private sector entities that have, themselves or	private sector entities that have, themselves or	(b) Funds may not be sought or accepted from
through their affiliated companies, a direct	through their affiliated companies, a direct	private sector entities that have, themselves or
commercial interest in the outcome of the project	commercial interest in the outcome of the project	through their affiliated companies, a direct
toward which they would be contributing, unless	toward which they would be contributing, unless	commercial interest in the outcome of the project
approved in conformity with the provisions for	approved in conformity with the provisions for	toward which they would be contributing, unless
clinical trials or product development (see	clinical trials or product development (see	approved in conformity with the provisions for
paragraph 38 below).	paragraph 38 below).	clinical trials or product development (see
		paragraph 38 below).
(c) Caution should be exercised in accepting	(c) Caution should be exercised in accepting	-NO CHANGES-
financing from private sector entities that have	financing from private sector entities that have	(c) Caution should be exercised in accepting
even an indirect interest in the outcome of the	even an indirect interest in the outcome of the	financing from private sector entities that have
project (i.e. the activity is related to the entities'	project (i.e. the activity is related to the entities'	even an indirect interest in the outcome of the
field of interest, without there being a conflict as	field of interest, without there being a conflict as	project (i.e. the activity is related to the entities'
referred to above). In such an event, other	referred to above). In such an event, other	field of interest, without there being a conflict as
commercial enterprises having a similar indirect	commercial enterprises having a similar indirect	referred to above). In such an event, other
interest should be invited to contribute, and the	interest should be invited to contribute, and the	commercial enterprises having a similar indirect
reason clearly described if this does not prove	reason clearly described if this does not prove	interest should be invited to contribute, and the
possible. The larger the proportion of the	possible. The larger the proportion of the	reason clearly described if this does not prove

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contribution from any one source, the greater the
care that should be taken to avoid the possibility
of a conflict of interest or appearance of ar
inappropriate association with one contributor.
13. Financial and in-kind contributions from
private sector entities to WHO's programmes are
only acceptable in the following conditions:
(a) the contribution is not used for normative work
(b) if a contribution is used for activities other than
normative work in which the private sector entity
could have a commercial interest, the public
health benefit of the engagement needs clearly to
outweigh its potential risks;
(c) the proportion of funding of any activity coming

(c) the proportion of funding of any activity coming from the private sector cannot be such that the programme's continuation would become dependent on this support;

(d) the acceptance of the contribution does not

- constitute an endorsement by WHO of the private sector entity, or its activities, products or services; (e) the contributor may not use the results of WHO's work for commercial purposes or use the fact of its contribution in its promotional material;
- (f) the acceptance of the contribution does not

### WORKING DRAFT FOR OCTOBER MEETINGS

contribution from any one source, the greater the care that should be taken to avoid the possibility of a conflict of interest or appearance of an inappropriate association with one contributor.

- 13. Financial and in-kind contributions from private sector entities to WHO's programmes are only acceptable in the following conditions:
- (a) the contribution is not used for normative work:
- (b) if a contribution is used for activities other than normative work in which the private sector entity could have a commercial interest, the public health benefit of the engagement needs clearly to outweigh its potential risks;
- (c) the proportion of funding of any activity coming from the private sector cannot be such that the programme's continuation would become dependent on this support;
- (d) the acceptance of the contribution does not constitute an endorsement by WHO of the private sector entity, or its activities, products or services;
- (e) the contributor may not use the results of WHO's work for commercial purposes or use the fact of its contribution in its promotional material;

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possible. The larger the proportion of the contribution from any one source, the greater the care that should be taken to avoid the possibility of a conflict of interest or appearance of an inappropriate association with one contributor.

#### -NO CHANGES-

- 13. Financial and in-kind contributions from private sector entities to WHO's programmes are only acceptable in the following conditions:
- (a) the contribution is not used for normative work;
- (b) if a contribution is used for activities other than normative work in which the private sector entity could have a commercial interest, the public health benefit of the engagement needs clearly to outweigh its potential risks;
- (c) the proportion of funding of any activity coming from the private sector cannot be such that the programme's continuation would become dependent on this support;
- (d) the acceptance of the contribution does not constitute an endorsement by WHO of the private sector entity, or its activities, products or services;
- (e) the contributor may not use the results of WHO's work for commercial purposes or use the

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afford the contributor any privilege or advantage;	(f) the acceptance of the contribution does not	fact of its contribution in its promotional material;
(g) the acceptance of the contribution does not	afford the contributor any privilege or advantage;	(f) the acceptance of the contribution does not
		· ·
offer the contributor any possibility for advising,	(g) the acceptance of the contribution does not	afford the contributor any privilege or advantage;
influencing, participating in, or being in command	offer the contributor any possibility for advising,	(g) the acceptance of the contribution does not
of the management or implementation of	influencing, participating in, or being in command	offer the contributor any possibility for advising,
operational activities;	of the management or implementation of	influencing, participating in, or being in command
(h) WHO keeps its discretionary right to decline a	operational activities;	of the management or implementation of
contribution, without any further explanation.	(h) WHO keeps its discretionary right to	operational activities;
	decline a contribution, without any further	(h) WHO keeps its discretionary right to
	explanation.	decline a contribution, without any further
		explanation.
Specific policies and operational procedures	Specific policies and operational procedures	-NO CHANGES-
16. For reasons of transparency, contributions	16 For reasons of transparency, contributions	Specific policies and operational procedures
from private sector entities must be publicly	from private sector entities must be publicly	16 For reasons of transparency, contributions
acknowledged by WHO in accordance with its	acknowledged by WHO in accordance with its	from private sector entities must be publicly
policies and practices.	policies and practices.	acknowledged by WHO in accordance with its
		policies and practices.
17. Acknowledgements shall usually be worded	17. Acknowledgements shall usually be worded	-NO CHANGES-
along the following lines: "The World Health	along the following lines: "The World Health	17. Acknowledgements shall usually be worded
Organization gratefully acknowledges the financial	Organization gratefully acknowledges the financial	along the following lines: "The World Health
contribution of [private sector entity] towards	contribution of [Private sector entity] towards	Organization gratefully acknowledges the financial
[description of the outcome or activity]".	[description of the outcome or activity]".	contribution of [Private sector entity] towards
		[description of the outcome or activity]".
18. Contributions received from private sector	18. Contributions received from private sector	-NO CHANGES-
entities, are listed in the financial report and		18. Contributions received from private sector

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audited financial statements of WHO as well as	audited financial statements of WHO as well as	entities, are listed in the financial report and
the Programme budget web portal and the	the Programme budget web portal and the	audited financial statements of WHO as well as
register of non-State actors.	register of non-State actors.	the Programme budget web portal and the
	[18bis]	register of non-State actors.
		[18bis]
Donations of medicines and other health	Donations of medicines and other health	-NO CHANGES-
technologies [3]	technologies[3]	Donations of medicines and other health
20. In determining the acceptability of large-scale	20. In determining the acceptability of large-	technologies [3]
donations of medicines and other health-related	scale donations of medicines and other health-	20. In determining the acceptability of large-
products, the following criteria should be met.	related products, the following criteria should be	scale donations of medicines and other health-
FOOTNOTE 3: Such donations shall be in line	met.	related products, the following criteria should be
with interagency guidelines: World Health	FOOTNOTE 3: Such donations shall be in line	met.
Organization, Ecumenical Pharmaceutical	with interagency guidelines: World Health	FOOTNOTE 3: Such donations shall be in line
Network, International Pharmaceutical Federation,	Organization, Ecumenical Pharmaceutical	with interagency guidelines: World Health
International Federation of Red Cross and Red	Network, International Pharmaceutical Federation,	Organization, Ecumenical Pharmaceutical
Crescent Societies, International Health Partners,	International Federation of Red Cross and Red	Network, International Pharmaceutical Federation,
The Partnership for Quality Medical Donations, et	Crescent Societies, International Health Partners,	International Federation of Red Cross and Red
al. Guidelines for medicine donations – revised	The Partnership for Quality Medical Donations, et	Crescent Societies, International Health Partners,
2010. Geneva: World Health Organization; 2011.	al. Guidelines for medicine donations – revised	The Partnership for Quality Medical Donations, et
	2010. Geneva: World Health Organization; 2011.	al. Guidelines for medicine donations – revised
		2010. Geneva: World Health Organization; 2011.
(a) Sound evidence exists of the safety and	(a) Sound evidence exists of the safety and	(a) Sound evidence exists of the safety and
efficacy of the product in the indication for which it	efficacy of the product in the indication for which it	efficacy of the product in the indication for which it
is being donated. The product is approved or	is being donated. The product is approved or	is being donated. The product is approved or
otherwise authorized by the recipient country for	otherwise authorized by the recipient country for	otherwise authorized by the recipient country for

use in that indication; it should also preferably appear in the WHO Model List of Essential Medicines for that indication.

- (b) Objective and justifiable criteria for the selection of recipient countries, communities or patients have been determined. In emergency situations, flexibilities may be required.
- (c) A supply system is in place and consideration is given to means of preventing waste, theft and misuse (including leakage back into the market).
- (d) A training and supervision programme is in place for all personnel involved in the efficient administration of supply, storage and distribution at every point from the donor to the end-user.
- (e) A donation of medicines and other healthrelated products is not of a promotional nature, either with regard to the company itself or insofar as it creates a demand for the products that is not sustainable once the donation has ended.
- (f) WHO does not accept products at the end of their shelf.
- (g) A phase-out plan for the donation has been agreed upon with recipient countries.
- (h) A system for monitoring adverse reactions to the product has been set up with the participation

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use in that indication; it should also preferably appear in the WHO Model List of Essential Medicines for that indication.

- (b) Objective and justifiable criteria for the selection of recipient countries, communities or patients have been determined. In emergency situations, flexibilities may be required.
- (c) A supply system is in place and consideration is given to means of preventing waste, theft and misuse (including leakage back into the market).
- (d) A training and supervision programme is in place for all personnel involved in the efficient administration of supply, storage and distribution at every point from the donor to the end-user.
- (e) A donation of medicines and other healthrelated products is not of a promotional nature, either with regard to the company itself or insofar as it creates a demand for the products that is not sustainable once the donation has ended.
- (f) WHO does not accept products at the end of their shelf life.
- (g) A phase-out plan for the donation has been agreed upon with recipient countries.
- (h) A system for monitoring adverse reactions to

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use in that indication; it should also preferably appear in the WHO Model List of Essential Medicines for that indication.

- (b) Objective and justifiable criteria for the selection of recipient countries, communities or patients have been determined. In emergency situations, flexibilities may be required.
- (c) A supply system is in place and consideration is given to means of preventing waste, theft and misuse (including leakage back into the market).
- (d) A training and supervision programme is in place for all personnel involved in the efficient administration of supply, storage and distribution at every point from the donor to the end-user.
- (e) A donation of medicines and other healthrelated products is not of a promotional nature, either with regard to the company itself or insofar as it creates a demand for the products that is not sustainable once the donation has ended.
- (f) WHO does not accept products at the end of their shelf [life].
- (g) A phase-out plan for the donation has been agreed upon with recipient countries.
- (h) A system for monitoring adverse reactions to

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of the donating company.	the product has been set up with the participation	the product has been set up with the participation
	of the donating company.	of the donating company.
21. In consultation with the department	21. In consultation with the department	-NO CHANGES-
responsible for financial matters in WHO, the	responsible for financial matters in WHO, the	21. In consultation with the department
value of donations of medicines and other health-	value of donations of medicines and other health-	responsible for financial matters in WHO, the
related products is determined and is formally	related products is determined and is formally	value of donations of medicines and other health-
recorded in the audited statements and the WHO	recorded in the audited statements and the WHO	related products is determined and is formally
register of non-State actors.	register of non-State actors.	recorded in the audited statements and the WHO
		register of non-State actors.
Financial contributions for clinical trials	Financial contributions for clinical trials	-NO CHANGES-
22. Except as provided in paragraph 38 below on	22. Except as provided in paragraph 38 below	Financial contributions for clinical trials
product development, financial contributions from	on product development, financial contributions	22. Except as provided in paragraph 38 below
a commercial enterprise for a clinical trial	from a commercial enterprise for a clinical trial	on product development, financial contributions
arranged by WHO on that company's proprietary	arranged by WHO on that company's proprietary	from a commercial enterprise for a clinical trial
product are considered on a case-by-case basis	product are considered on a case-by-case basis	arranged by WHO on that company's proprietary
and always decided by the Engagement	and always decided by the Engagement	product are considered on a case-by-case basis
coordination group. In this connection, it should	coordination group. In this connection, it should	and always decided by the Engagement
be ensured that:	be ensured that:	coordination group. In this connection, it should
(a) the research or development activity is of	(a) the research or development activity is of	be ensured that:
public health importance;	public health importance;	(a) the research or development activity is of
(b) the research is conducted at WHO's request	(b) the research is conducted at WHO's request	public health importance;
and potential conflicts of interest are managed;	and potential conflicts of interest are managed;	(b) the research is conducted at WHO's request

(c) WHO

only

accepts

contributions, if the research would not take place

such

financial

without WHO's involvement or if WHO's contributions, if the research would not take place

and potential conflicts of interest are managed;

WHO only accepts such financial

(c) WHO only accepts such financial contributions,

if the research would not take place without

WHO's involvement or if WHO's involvement is

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necessary in order to ensure that the research is	involvement is necessary in order to ensure that	without WHO's involvement or if WHO's
undertaken in conformity with internationally	the research is undertaken in conformity with	involvement is necessary in order to ensure that
accepted technical and ethical standards and	internationally accepted technical and ethical	the research is undertaken in conformity with
guidelines.	standards and guidelines.	internationally accepted technical and ethical
		standards and guidelines.
23. If the above-mentioned requirements are met,	23 If the above-mentioned requirements are	23 If the above-mentioned requirements are
a financial contribution may be accepted from a	met, a financial contribution may be accepted	met, a financial contribution may be accepted
company having a direct commercial interest in	from a company having a direct commercial	from a company having a direct commercial
the trial in question, provided that appropriate	interest in the trial in question, provided that	interest in the trial in question, provided that
mechanisms are put in place to ensure that WHO	appropriate mechanisms are put in place to	appropriate mechanisms are put in place to
controls the outcome of the trial, including the	ensure that WHO controls the conduct and the	ensure that WHO controls [the conduct and the
content of any resulting publication, and that the	dissemination of the outcomes of the trials,	dissemination of] the outcome[s] of the trial[s],
trial results are free from any inappropriate	including the content of any resulting publication,	including the content of any resulting publication,
influence or perceived influence from the	and that the trial results are free from any	and that the trial results are free from any
company concerned.	inappropriate influence or perceived influence	inappropriate influence or perceived influence
	from the company concerned.	from the company concerned.
Contributions for WHO meetings	Contributions for WHO meetings	-NO CHANGES-
24. For meetings convened by WHO, a	24. For meetings convened by WHO, a	Contributions for WHO meetings
contribution from a private sector entity may not	contribution from a private sector entity may not	24. For meetings convened by WHO, a
be accepted if it is designated to support the	be accepted if it is designated to support the	contribution from a private sector entity may not
participation of specific invitees (including such	participation of specific invitees (including such	be accepted if it is designated to support the
invitees' travel and accommodation), regardless	invitees' travel and accommodation), regardless of	participation of specific invitees (including such
of whether such contribution would be provided	whether such contribution would be provided	invitees' travel and accommodation), regardless of
directly to the participants or channelled through	directly to the participants or channelled through	whether such contribution would be provided
WHO.	WHO.	directly to the participants or channelled through

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		WHO.
25. Contributions may be accepted to support the	25. Contributions may be accepted to support	-NO CHANGES-
overall costs of a meeting.	the overall costs of a meeting.	25. Contributions may be accepted to support
		the overall costs of a meeting.
26. WHO receptions and similar functions shall	26. WHO receptions and similar functions shall	-NO CHANGES-
not be paid for by private sector entities.	not be paid for by private sector entities.	26. WHO receptions and similar functions shall
		not be paid for by private sector entities.
Contributions for WHO staff participating in	Contributions for WHO staff participating in	Contributions for WHO staff participating in
external meetings	external meetings	external meetings
27. An external meeting is one convened by a	27. An external meeting is one convened by a	27. An external meeting is one convened by a
party other than WHO. Support from private	party other than WHO. Support from private	party other than WHO. Support from private
sector entities for travel of WHO staff members to	sector entities for travel of WHO staff members to	sector entities for travel of WHO staff members to
attend external meetings or conferences may fall	attend external meetings or conferences may fall	attend external meetings or conferences may fall
into two categories:	into two categories:	into two categories:
(a) meetings held by the private sector entity	(a) meetings held by the private sector entity	(a) meetings held by the private sector entity
paying for travel: financing for travel may be	paying for travel: financing for travel may be	paying for travel: financing for travel may be
accepted in accordance with WHO's rules if the	accepted in accordance with WHO's rules if the	accepted in accordance with WHO's rules if the
private sector entity or trade association is also	private sector entity is also supporting the travel	private sector entity or trade association is also
supporting the travel and ancillary expenses of	and ancillary expenses of other participants in the	supporting the travel and ancillary expenses of
other participants in the meeting, and the risk of a	meeting, and the risk of a conflict of interest has	other participants in the meeting, and the risk of a
conflict of interest has been assessed;	been assessed and managed;	conflict of interest has been assessed and
(b) meetings held by a third party (i.e. a party	(b) meetings held by a third party (i.e. a party	managed;
other than the private sector entity or trade	other than the private sector entity or trade	(b) meetings held by a third party (i.e. a party
association proposing to pay for the travel):	association proposing to pay for the travel):	other than the private sector entity proposing to
financing for travel may not be accepted from a	financing for travel may not be accepted from a	pay for the travel): financing for travel may not be

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private sector entity.	private sector entity.	accepted from a private sector entity.
Cost recovery	Cost recovery	-NO CHANGES-
30. In cases where a WHO evaluation scheme is	30. In cases where a WHO evaluation scheme is	Cost recovery
in place (i.e. to evaluate certain products,	in place (i.e. to evaluate certain products,	30. In cases where a WHO evaluation scheme is
processes or services against official WHO	processes or services against official WHO	in place (i.e. to evaluate certain products,
guidelines), the Organization may charge private	guidelines), the Organization may charge private	processes or services against official WHO
sector entities for such services on the basis of	sector entities for such services on the basis of	guidelines), the Organization may charge private
cost recovery. The purpose of WHO's evaluation	cost recovery. The purpose of WHO's evaluation	sector entities for such services on the basis of
schemes is always to provide advice to	schemes is always to provide advice to	cost recovery. The purpose of WHO's evaluation
governments and/or international organizations	governments and/or international organizations for	schemes is always to provide advice to
for procurement. Evaluation does not constitute	procurement. Evaluation does not constitute	governments and/or international organizations for
endorsement by WHO of the product(s), process	endorsement by WHO of the product(s), process	procurement. Evaluation does not constitute
or service in question.	or service in question.	endorsement by WHO of the product(s), process
		or service in question.
EVIDENCE	EVIDENCE	EVIDENCE
31. WHO can only collaborate with private sector	31. Private sector entities may provide their up-	31. WHO can only collaborate with private
entities in the generation of evidence, in	to-date information and knowledge on technical	sector entities in the generation of evidence, in
knowledge management, in information gathering	issues, and share their experience with WHO, as	knowledge management, in information gathering
and in research when potential conflicts of interest	appropriate, subject to the provisions of the	and in research when potential conflicts of interest
are managed in accordance with this framework	overarching framework, and this specific policy	are managed in accordance with this framework
and the collaboration is transparent.	and operational procedures, and other applicable	and the collaboration is transparent. Private
	WHO rules, policies and procedures. Such	sector entities may provide their up-to-date
		information and knowledge on technical issues,
	contribution should be made publicly available, as	·

evidence generated should be made publicly appropriate, subject to the provisions of the

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	available.	overarching framework, and this specific policy
		and operational procedures, and other applicable
		WHO rules, policies and procedures. Such
		contribution should be made publicly available, as
		appropriate, wherever possible. Scientific
		evidence generated should be made publicly
		available.
ADVOCACY	ADVOCACY	ADVOCACY
34. Private sector entities can only collaborate	34. Private sector entities can only collaborate	34. Private sector entities can only collaborate
with WHO in advocacy for the implementation of a	with WHO in advocacy for the implementation of a	with WHO in advocacy for the implementation of a
WHO norm or standard if they commit themselves	WHO policy norm or standard if they commit	WHO policy norm or standard if they commit
to implement these norms and standards in their	themselves to implement [these norms and	themselves to implement [these norms and
entirety. No partial or selective implementation is	standards]/[this norm or standard] in their entirety.	standards]/[this norm or standard] in their entirety.
acceptable.	No partial or selective implementation is	No partial or selective implementation is
	acceptable. [SUBJECT TO AGREEMENT ON	acceptable. [SUBJECT TO AGREEMENT ON
	SPECIFIC PARAGRAPHS IN THE FOUR	SPECIFIC PARAGRAPHS IN THE FOUR
	SPECIFIC POLICIES]	SPECIFIC POLICIES]
TECHNICAL COLLABORATION	TECHNICAL COLLABORATION	TECHNICAL COLLABORATION
[]	[]	[]
Specific policies and operational procedures	Specific policies and operational procedures	-NO CHANGES-
37. If WHO has drawn up official specifications for	37. If WHO has drawn up official specifications	Specific policies and operational procedures
a product, it may provide technical advice to	for a product, it may provide technical advice to	37. If WHO has drawn up official specifications
manufacturers for development of their product in	manufacturers for development of their product in	for a product, it may provide technical advice to
accordance with these specifications, provided	accordance with these specifications, provided	manufacturers for development of their product in
that all private sector entities known to have an	that all private sector entities known to have an	accordance with these specifications, provided

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interest in such a product are given the	interest in such a product are given the	that all private sector entities known to have an
opportunity to collaborate with WHO in the same	opportunity to collaborate with WHO in the same	interest in such a product are given the
way.	way.	opportunity to collaborate with WHO in the same
		way.

# DRAFT WHO POLICY AND OPERATIONAL PROCEDURES ON ENGAGEMENT WITH PHILANTHROPIC FOUNDATIONS

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Philanthropic foundations are making	1. DELETED	1. DELETED
significant contributions to global health in		
general, and to WHO's work in particular, in many		
areas ranging from innovation to capacity-building		
and to service delivery. Therefore WHO engages		
with this group of key actors in global health to		
leverage their support in the fulfilment of WHO's		
mandate.		
2. This policy regulates specifically WHO's	2. This policy regulates specifically WHO's	-NO CHANGES-
engagement with philanthropic foundations by	engagement with philanthropic foundations by	2. This policy regulates specifically WHO's
type of interaction.[1] The generic provisions of	type of interaction.[1] The generic provisions of	engagement with philanthropic foundations by
the framework also apply to all engagements with	the framework also apply to all engagements with	type of interaction.[1] The generic provisions of
philanthropic foundations.	philanthropic foundations.	the framework also apply to all engagements with
FOOTNOTE 1: See paragraphs 15-21 of the	FOOTNOTE 1: See paragraphs 15-21 of the	philanthropic foundations.
overarching framework for the five types of	overarching framework for the five types of	FOOTNOTE 1: See paragraphs 15-21 of the
interaction.	interaction.	overarching framework for the five types of
		interaction.
PARTICIPATION	PARTICIPATION	PARTICIPATION
Participation by philanthropic foundations in WHO	Participation by philanthropic foundations in WHO	Participation by philanthropic foundations in WHO
meetings [2]	meetings [2]	meetings [2]
3. WHO can hold consultations with philanthropic	3. WHO can invite philanthropic foundations to	3. WHO can hold consultations with [invite]
foundations in the preparation of policies.	participate in consultations, hearings or other	philanthropic foundations [to participate in
Consultations can be electronic or in person, and	meetings in accordance with paragraph 16 of the	consultations, hearings or other meetings in
may take the form of hearings at which	overarching framework. Consultations and	accordance with paragraph 16 of the overarching

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philanthropic foundations can present their views.	hearings can be electronic or in person.	framework] in the preparation of policies.
The format of such consultations is decided on a	FOOTNOTE 2: Other than sessions of the	Consultations [and hearings] can be electronic or
case-by-case basis either by the governing body	governing bodies, which are regulated by the	in person , and may take the form of hearings at
at the session at which a hearing or consultation	policy on management of engagement.	which philanthropic foundations can present their
is mandated or in other cases by the Secretariat.		views. The format of such consultations is
FOOTNOTE 2: Other than sessions of the		decided on a case-by-case basis either by the
governing bodies, which are regulated by the		governing body at the session at which a hearing
policy on management of engagement.		or consultation is mandated or in other cases by
		the Secretariat. [This language is the one
		provided on para. 16]
		FOOTNOTE 2: Other than sessions of the
		governing bodies, which are regulated by the
		policy on management of engagement.
4. WHO can invite philanthropic foundations to	4. Participation in other meetings is on the	4. WHO can invite philanthropic foundations to
participate in other WHO meetings. Such	basis of discussion of an item in which the	<del>participate in other WHO meetings. Such</del>
participation is on the basis of discussion of an	philanthropic foundation has a particular interest	Participation [in other meetings] is on the basis of
item in which the philanthropic foundation has a	and where its participation adds value to the	discussion of an item in which the philanthropic
particular interest and where its participation adds	deliberations of the meeting. Such participation is	foundation has a particular interest and where its
value to the deliberations of the meeting. Such	for the exchange of information and views, but	participation adds value to the deliberations of the
participation is also for the exchange of	never for the formulation of advice.	meeting. Such participation is for the exchange of
information and views, but not for the formulation	4bis. The nature of participation of philanthropic	information and views, but never for the
of any advice.	foundations depends on the type of meeting	formulation of advice.
	concerned. The format, modalities, and the	[4bis. The nature of participation of philanthropic
	participation of philanthropic foundations in	foundations depends on the type of meeting
	consultations, hearings, and other meetings is	concerned. The format, modalities, and the

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	decided on a case-by-case basis by the WHO	participation of philanthropic foundations in
	governing bodies or by the Secretariat.	consultations, hearings, and other meetings is
	Participation and inputs received from	decided on a case-by-case basis by the WHO
	philanthropic foundations shall be made publicly	governing bodies or by the Secretariat.
	available, wherever possible. Philanthropic	Participation and inputs received from
	foundations do not take part in any decision	philanthropic foundations shall be made publicly
	making process of the Organization.	available, wherever possible. Philanthropic
		foundations do not take part in any decision
		making process of the Organization.]
Involvement of the Secretariat in meetings	Involvement of the Secretariat in meetings	Involvement of the Secretariat in meetings
organized by philanthropic foundations	organized by philanthropic foundations	organized by philanthropic foundations
5. WHO can organize joint meetings, or	5. WHO can organize joint meetings, or	5. WHO can organize joint meetings, or
cosponsor meetings organized by philanthropic	cosponsor meetings organized by philanthropic	cosponsor meetings organized by philanthropic
foundations, as long as the integrity,	foundations, as long as the integrity,	foundations, as long as the integrity,
independence and reputation of the Organization	independence and reputation of the Organization	independence and reputation of the Organization
are preserved, and as long as this participation	are preserved, and as long as this participation	are preserved, and as long as this participation
furthers WHO's objectives as expressed in the	furthers WHO's objectives as expressed in the	furthers WHO's objectives as expressed in the
General Programme of Work. WHO staff	General Programme of Work. WHO staff	General Programme of Work. WHO staff
members may participate in meetings organized	members may participate in meetings organized	members may participate in meetings organized
by philanthropic foundations in accordance with	by philanthropic foundations in accordance with	by philanthropic foundations in accordance with
the Organization's internal rules. WHO's	the Organization's internal rules. The philanthropic	the Organization's internal rules. [The
participation in meetings organized by	foundations shall not misrepresent WHO's	philanthropic foundations shall not misrepresent]
philanthropic foundations does not constitute an	participation as official WHO support for, or	WHO's participation in meetings organized by
official WHO support for, or endorsement of, that	endorsement of, the meeting, and shall agree not	philanthropic foundations does not constitute [as]
philanthropic foundation, and shall not be used for	to use WHO's participation for promotional	official WHO support for, or endorsement of, that

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promotional purposes.	purposes.	philanthropic foundation the meeting, and shall
		<del>not be used</del> [agree not to use WHO's
		participation] for promotional purposes.
Operational procedures	Specific policies and operational procedures	Specific policies and operational procedures
6. The participation of WHO in meetings	6. The participation of WHO in meetings	-NO CHANGES-
organized by philanthropic foundations as co-	organized by philanthropic foundations as co-	6. The participation of WHO in meetings
organizers, cosponsors, panellists or speakers	organizers, cosponsors, panellists or speakers	organized by philanthropic foundations as co-
shall be managed according to the provisions of	shall be managed according to the provisions of	organizers, cosponsors, panellists or speakers
the framework for engagement with non-State	the framework for engagement with non-State	shall be managed according to the provisions of
actors.	actors.	the framework for engagement with non-State
		actors.
RESOURCES	RESOURCES	-NO CHANGES-
[]	[]	RESOURCES
8. As for all contributors, philanthropic foundations	8. As for all contributors, philanthropic	[]
shall align their contributions to the priorities set	foundations shall align their contributions to the	8. As for all contributors, philanthropic
by the Health Assembly in the approved	priorities set by the Health Assembly in the	foundations shall align their contributions to the
Programme budget.	approved Programme budget.	priorities set by the Health Assembly in the
		approved Programme budget.
9. Philanthropic foundations are invited to	9. Philanthropic foundations are invited to	-NO CHANGES-
participate in the financing dialogue, which is	participate in the financing dialogue, which is	9. Philanthropic foundations are invited to
designed to improve the alignment, predictability,	designed to improve the alignment, predictability,	participate in the financing dialogue, which is
flexibility and transparency of WHO's funding and	flexibility and transparency of WHO's funding and	designed to improve the alignment, predictability,
to reduce budgetary vulnerability.	to reduce budgetary vulnerability.	flexibility and transparency of WHO's funding and
		to reduce budgetary vulnerability.

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10. WHO's programmes and offices should strive	10. WHO's programmes and offices should	-NO CHANGES-		
to ensure that they do not depend on one single	strive to ensure that they do not depend on one	10. WHO's programmes and offices should		
source of funding.	single source of funding.	strive to ensure that they do not depend on one		
		single source of funding.		
11. The acceptance of contributions (whether in	11. The acceptance of contributions (whether in	-NO CHANGES-		
cash or in kind) should be made subject to the	cash or in kind) should be made subject to the	11. The acceptance of contributions (whether in		
following conditions:	following conditions:	cash or in kind) should be made subject to the		
(a) the acceptance of a contribution does not	(a) the acceptance of a contribution does not	following conditions:		
constitute an endorsement by WHO of the	constitute an endorsement by WHO of the	(a) the acceptance of a contribution does not		
philanthropic foundation;	philanthropic foundation;	constitute an endorsement by WHO of the		
(b) the acceptance of a contribution does not	(b) the acceptance of a contribution does not	philanthropic foundation;		
confer on the contributor any privilege or	confer on the contributor any privilege or	(b) the acceptance of a contribution does not		
advantage;	advantage;	confer on the contributor any privilege or		
(c) the acceptance of a contribution as such does	(c) the acceptance of a contribution as such	advantage;		
not offer the contributor any possibility for	does not offer the contributor any possibility for	(c) the acceptance of a contribution as such		
advising, influencing, participating in, or being in	advising, influencing, participating in, or being in	does not offer the contributor any possibility for		
command of the management or implementation	command of the management or implementation	advising, influencing, participating in, or being in		
of operational activities;	of operational activities;	command of the management or implementation		
(d) WHO keeps its discretionary right to decline a	(d) WHO keeps its discretionary right to decline	of operational activities;		
contribution, without any further explanation.	a contribution, without any further explanation.	(d) WHO keeps its discretionary right to decline		
		a contribution, without any further explanation.		
Specific policies and operational procedures	Specific policies and operational procedures	-NO CHANGES-		
12. Any acceptance of resources from a	12. Any acceptance of resources from a	Specific policies and operational procedures		
philanthropic foundation is handled in accordance	philanthropic foundation is handled in accordance	12. Any acceptance of resources from a		
with the provisions of this framework and relevant	with the provisions of this framework and relevant	philanthropic foundation is handled in accordance		

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other rules such as the Staff Regulations and	other rules such as the Staff Regulations and Staff	ff with the provisions of this framework and relevant		
Staff Rules, the Financial Regulations and	Rules, the Financial Regulations and Financial	other rules such as the Staff Regulations and Staff		
Financial Rules and WHO's policies governing	Rules and WHO's policies governing	Rules, the Financial Regulations and Financial		
procurement.	procurement.	Rules and WHO's policies governing		
		procurement.		
14. Acknowledgements shall usually be worded	14. Acknowledgements shall usually be worded	-NO CHANGES-		
along the following lines: "The World Health	along the following lines: "The World Health	14. Acknowledgements shall usually be worded		
Organization gratefully acknowledges the financial	Organization gratefully acknowledges the financial	along the following lines: "The World Health		
contribution of [philanthropic foundation] towards	contribution of [Philanthropic foundation] towards	Organization gratefully acknowledges the financial		
[description of the outcome or activity]".	[description of the outcome or activity]".	contribution of [Philanthropic foundation] towards		
		[description of the outcome or activity]".		
15. Contributions received from philanthropic	15. Contributions received from philanthropic	-NO CHANGES-		
foundations are listed in the financial report and	foundations are listed in the financial report and	15. Contributions received from philanthropic		
audited financial statements of WHO as well as	audited financial statements of WHO as well as	foundations are listed in the financial report and		
the Programme budget web portal and the WHO	the Programme budget web portal and the WHO	audited financial statements of WHO as well as		
register of non-State actors.	register of non-State actors.	the Programme budget web portal and the WHO		
		register of non-State actors.		
16. Philanthropic foundations may not use the fact	16. Philanthropic foundations may not use the	-NO CHANGES-		
that they have made a contribution in their	fact that they have made a contribution in their	16. Philanthropic foundations may not use the		
promotional materials. However, they may make	promotional materials. However, they may make	fact that they have made a contribution in their		
reference to the contribution in their annual	reference to the contribution in their annual	promotional materials. However, they may make		
reports or similar documents. In addition, they	reports or similar documents. In addition, they	reference to the contribution in their annual		
may mention the contribution in a transparency	may mention the contribution in a transparency	reports or similar documents. In addition, they		
listing on their websites, in special non-	listing on their websites, in special non-	may mention the contribution in a transparency		
promotional pages of their website and similar	promotional pages of their website and similar	listing on their websites, in special non-		

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publications, provided that the content and	publications, provided that the content and	promotional pages of their website and similar		
context have been agreed with WHO.	context have been agreed with WHO.	publications, provided that the content and		
		context have been agreed with WHO.		
EVIDENCE	EVIDENCE	EVIDENCE		
17. Philanthropic foundations can provide up-to-	17. Philanthropic foundations may provide their	17. Philanthropic foundations can [may] provide		
date information and knowledge on technical	up-to-date information and knowledge on	their up-to-date information and knowledge on		
issues, and share their experience and engage	technical issues, and share their experience with	technical issues, and share their experience with		
with WHO in the following: generation of	WHO, as appropriate, subject to the provisions of	WHO in the following: generation of evidence,		
evidence, knowledge management, scientific	the overarching framework, and this specific	knowledge management, scientific reviews,		
reviews, information gathering and research.	policy and operational procedures, and other	<del>information gathering and research</del> [, as		
	applicable WHO rules, policies and procedures.	appropriate, subject to the provisions of the		
	uch contribution should be made publicly overarching framework, and this specific policy			
	available, as appropriate, wherever possible. and operational procedures, and other ap			
	Scientific evidence generated should be made	de WHO rules, policies and procedures. Such		
	publicly available.	contribution should be made publicly available, as		
		appropriate, wherever possible. Scientific		
		evidence generated should be made publicly		
		available.]		
ADVOCACY	ADVOCACY	-NO CHANGES-		
18. WHO collaborates with philanthropic	18. WHO collaborates with philanthropic	ADVOCACY		
foundations on advocacy for health and	foundations on advocacy for health and	18. WHO collaborates with philanthropic		
increasing awareness of health issues; for	increasing awareness of health issues; for	foundations on advocacy for health and		
changing behaviours in the interest of public	changing behaviours in the interest of public	ic increasing awareness of health issues; for		
health; and for fostering collaboration and greater	health; and for fostering collaboration and greater	reater changing behaviours in the interest of public		
coherence between non-State actors where joint	coherence between non-State actors where joint	health; and for fostering collaboration and greater		

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action is required. Philanthropic foundations are	action is required. Philanthropic foundations are	coherence between non-State actors where joint		
encouraged to disseminate WHO's policies,	encouraged to disseminate WHO's policies,	action is required. Philanthropic foundations are		
guidelines, norms and standards and other tools	guidelines, norms and standards and other tools	encouraged to disseminate WHO's policies,		
through their networks so as to extend WHO's	through their networks so as to extend WHO's	guidelines, norms and standards and other tools		
own reach.	own reach.	through their networks so as to extend WHO's		
	own reach.			

# DRAFT WHO POLICY AND OPERATIONAL PROCEDURES ON ENGAGEMENT WITH ACADEMIC INSTITUTIONS

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1. Academic institutions contribute to global health	1. DELETED	1. DELETED		
through education, research, clinical care and the				
generation, synthesis and analysis of evidence.				
Therefore, WHO engages with this group of key				
actors in global health to leverage their support in				
the fulfilment of WHO's mandate.				
2. This policy regulates specifically WHO's	2. This policy regulates specifically WHO's	-NO CHANGES-		
engagement with academic institutions by type of	engagement with academic institutions by type of	2. This policy regulates specifically WHO's		
interaction.[1] The generic provisions of the	interaction.[1] The generic provisions of the	engagement with academic institutions by type of		
framework also apply to all engagements with	framework also apply to all engagements with	interaction.[1] The generic provisions of the		
academic institutions.	academic institutions.	framework also apply to all engagements with		
FOOTNOTE 1: See paragraphs 15-21 of the	FOOTNOTE 1: See paragraphs 15-21 of the	academic institutions.		
overarching framework for the five types of	overarching framework for the five types of	FOOTNOTE 1: See paragraphs 15-21 of the		
interaction.	interaction.	overarching framework for the five types of		
		interaction.		
3. The engagement with academic institutions at	3. The engagement with academic institutions	-NO CHANGES-		
the institutional level has to be distinguished from	at the institutional level has to be distinguished	3. The engagement with academic institutions		
the collaboration with individual experts working	from the collaboration with individual experts	at the institutional level has to be distinguished		
for academic institutions.	working for academic institutions.	from the collaboration with individual experts		
		working for academic institutions.		
PARTICIPATION	PARTICIPATION PARTICIPATION			
Participation by academic institutions in WHO	O Participation by academic institutions in WHO Participation by academic institutions i			
meetings	meetings	meetings		
4. WHO can hold consultations with academic	4. WHO can invite academic institutions to	4. WHO can hold consultations with [invite]		

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institutions in the preparation of policies.	participate in consultations, hearings or other	academic institutions [to participate in
Consultations can be electronic or in person, and	meetings in accordance with paragraph 16 of the	consultations, hearings or other meetings in
may take the form of hearings at which academic	overarching framework. Consultations and	accordance with paragraph 16 of the overarching
institutions can present their views. The format of	hearings can be electronic or in person.	framework] <del>in the preparation of policies</del> .
such consultations is decided on a case-by-case		Consultations [and hearings] can be electronic or
basis either by the governing body at the session		in person <del>, and may take the form of hearings at</del>
at which a hearing or consultation is mandated or		which academic institutions can present their
for other cases by the Secretariat.		views. The format of such consultations is
		decided on a case-by-case basis either by the
		governing body at the session at which a hearing
		or consultation is mandated or in other cases by
		the Secretariat. [This language is the one
		provided on para. 16]
5. WHO can invite academic institutions to	5. Participation in other meetings is on the	5. WHO can invite academic institutions to
participate in other WHO meetings. Such	basis of discussion of an item in which the	<del>participate in other WHO meetings. Such</del>
participation is on the basis of discussion of an	academic institution has a particular interest and	Participation [in other meetings] is on the basis of
item in which the academic institution has a	where its participation adds value to the	discussion of an item in which the academic
particular interest and where its participation adds	deliberations of the meeting. Such participation is	institution has a particular interest and where its
value to the deliberations of the meeting. Such	for the exchange of information and views, but	participation adds value to the deliberations of the
participation is also for the exchange of	never for the formulation of advice.	meeting. Such participation is for the exchange of
information and views, but not for the formulation	5bis. The nature of participation of academic	information and views, but never for the
of any advice.	institution depends on the type of meeting	formulation of advice.
	concerned. The format, modalities, and the	[5bis. The nature of participation of academic
	participation of academic institution in	institution depends on the type of meeting

consultations, hearings, and other meetings is concerned. The format, modalities, and the

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	decided on a case-by-case basis by the WHO	participation of academic institution in	
	governing bodies or by the Secretariat.	Secretariat. consultations, hearings, and other meetings is	
	Participation and inputs received from academic	decided on a case-by-case basis by the WHO	
	institutions shall be made publicly available,	governing bodies or by the Secretariat.	
	wherever possible. Academic institutions do not	Participation and inputs received from academic	
	take part in any decision making process of the	institutions shall be made publicly available,	
	Organization.	wherever possible. Academic institutions do not	
		take part in any decision making process of the	
		Organization.]	
Involvement of the Secretariat in meetings	Involvement of the Secretariat in meetings	Involvement of the Secretariat in meetings	
organized by academic institutions	organized by academic institutions	organized by academic institutions	
6. WHO can organize joint meetings, or	6. WHO can organize joint meetings, or	6. WHO can organize joint meetings, or	
cosponsor meetings organized by academic	cosponsor meetings organized by academic	cosponsor meetings organized by academic	
institutions, as long as the integrity, independence	institutions, as long as the integrity, independence	institutions, as long as the integrity, independence	
and reputation of the Organization are preserved,	and reputation of the Organization are preserved,	and reputation of the Organization are preserved,	
and as long as this participation furthers WHO's	and as long as this participation furthers WHO's	and as long as this participation furthers WHO's	
objectives as expressed in the General	objectives as expressed in the General	objectives as expressed in the General	
Programme of Work. WHO staff members may	Programme of Work. WHO staff members may	Programme of Work. WHO staff members may	
participate in meetings organized by academic	participate in meetings organized by academic	participate in meetings organized by academic	
institutions in accordance with the Organization's	institutions in accordance with the Organization's	institutions in accordance with the Organization's	
internal rules. WHO's participation in meetings	internal rules. The academic institution shall not	internal rules. [The academic institution shall not	
organized by academic institutions does not	misrepresent WHO's participation as official WHO	misrepresent] WHO's participation in meetings	
constitute an official WHO support for, or	support for, or endorsement of, the meeting, and	organized by academic institutions does not	
endorsement of, that academic institution, and	shall agree not to use WHO's participation for	constitute [as] official WHO support for, or	
shall not be used for promotional purposes.	promotional purposes.	endorsement of, that academic institution the	

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		meeting, and shall not be used [agree not to use		
		WHO's participation] for promotional purposes.		
Operational procedures	Specific policies and operational procedures	Specific policies and operational procedures		
7. The participation of WHO in meetings	7. The participation of WHO in meetings	-NO CHANGES-		
organized by academic institutions as co-	organized by academic institutions as co-	7. The participation of WHO in meetings		
organizers, cosponsors, panellists or speakers	organizers, cosponsors, panellists or speakers	organized by academic institutions as co-		
shall be managed according to the provisions of	shall be managed according to the provisions of	organizers, cosponsors, panellists or speakers		
the framework for engagement with non-State	the framework for engagement with non-State	shall be managed according to the provisions of		
actors.	actors.	the framework for engagement with non-State		
		actors.		
RESOURCES	RESOURCES	RESOURCES		
[]	[]	[]		
Specific policies and operational procedures	Specific policies and operational procedures	-NO CHANGES-		
10. Any acceptance of resources from an	10. Any acceptance of resources from an	Specific policies and operational procedures		
academic institution is handled in accordance with	academic institution is handled in accordance with	10. Any acceptance of resources from an		
this framework and relevant other rules such as	this framework and relevant other rules such as	academic institution is handled in accordance with		
the Staff Regulations and Staff Rules, the	the Staff Regulations and Staff Rules, the	this framework and relevant other rules such as		
Financial Regulations and Financial Rules and	Financial Regulations and Financial Rules and	the Staff Regulations and Staff Rules, the		
WHO's policies governing procurement.	WHO's policies governing procurement.	Financial Regulations and Financial Rules and		
		WHO's policies governing procurement.		
11. For reasons of transparency, contributions	11. For reasons of transparency, contributions	-NO CHANGES-		
from academic institutions must be publicly	from academic institutions must be publicly	11. For reasons of transparency, contributions		
acknowledged by WHO in accordance with its	acknowledged by WHO in accordance with its	from academic institutions must be publicly		
policies and practices.	policies and practices.	acknowledged by WHO in accordance with its		
		policies and practices.		

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12. Acknowledgements shall usually be worded	12. Acknowledgements shall usually be worded	-NO CHANGES-		
along the following lines: "The World Health	along the following lines: "The World Health	12. Acknowledgements shall usually be worded		
Organization gratefully acknowledges the financial	Organization gratefully acknowledges the financial	along the following lines: "The World Health		
contribution of [academic institution] towards	contribution of [academic institution] towards	Organization gratefully acknowledges the financial		
[description of the outcome or activity]".	[description of the outcome or activity]".	contribution of [academic institution] towards		
		[description of the outcome or activity]".		
13. Contributions received from academic	13. Contributions received from academic	-NO CHANGES-		
institutions are listed in the financial report and	institutions are listed in the financial report and	13. Contributions received from academic		
audited financial statements of WHO as well as	audited financial statements of WHO as well as	institutions are listed in the financial report and		
the Programme budget web portal and the WHO	the Programme budget web portal and the WHO	audited financial statements of WHO as well as		
register of non-State actors.	register of non-State actors.	the Programme budget web portal and the WHO		
		register of non-State actors.		
14. Academic institutions may not use the results	14. Academic institutions may not use the	-NO CHANGES-		
of WHO's work for commercial purposes and may	results of WHO's work for commercial purposes	14. Academic institutions may not use the		
not use the fact that they have made a	and may not use the fact that they have made a	results of WHO's work for commercial purposes		
contribution in their promotional materials.	contribution in their promotional materials.	and may not use the fact that they have made a		
However, they may make reference to the	However, they may make reference to the	contribution in their promotional materials.		
contribution in their annual reports or similar	contribution in their annual reports or similar	However, they may make reference to the		
documents. In addition they may mention the	documents. In addition they may mention the	contribution in their annual reports or similar		
contribution in a transparency listing on their	contribution in a transparency listing on their	documents. In addition they may mention the		
websites, in special non-promotional pages of	websites, in special non-promotional pages of	contribution in a transparency listing on their		
their website and similar publications, provided	their website and similar publications, provided	websites, in special non-promotional pages of		
that the content and context have been agreed	that the content and context have been agreed	their website and similar publications, provided		
with WHO.	with WHO.	that the content and context have been agreed		
		with WHO.		

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EVIDENCE	EVIDENCE	EVIDENCE		
15. Academic institutions can provide up-to-date	15. Academic institutions may provide their up-	15. Academic institutions can [may] provide		
information and knowledge on technical issues,	to-date information and knowledge on technical	their up-to-date information and knowledge on		
and share their experience and engage with WHO	issues, and share their experience with WHO, as	technical issues, and share their experience with		
in the following: generation of evidence,	appropriate, subject to the provisions of the	WHO in the following: generation of evidence,		
knowledge management, scientific reviews,	overarching framework, and this specific policy	knowledge management, scientific reviews,		
information gathering and research.	and operational procedures, and other applicable	information gathering and research, [as		
	WHO rules, policies and procedures. Such	appropriate, subject to the provisions of the		
	contribution should be made publicly available, as	overarching framework, and this specific policy		
	appropriate, wherever possible. Scientific	and operational procedures, and other applicable		
	evidence generated should be made publicly	WHO rules, policies and procedures. Such		
	available.	contribution should be made publicly available, as		
		appropriate, wherever possible. Scientific		
		evidence generated should be made publicly		
		available.]		
16. Intellectual property arising from	16. Intellectual property arising from	-NO CHANGES-		
collaborations with academic institutions is	collaborations with academic institutions is	16. Intellectual property arising from		
regulated by the agreement with the academic	regulated by the agreement with the academic	collaborations with academic institutions is		
institution. This should be addressed in	institution. This should be addressed in	regulated by the agreement with the academic		
consultation with the Office of the Legal Counsel.	consultation with the Office of the Legal Counsel.	institution. This should be addressed in		
		consultation with the Office of the Legal Counsel.		
ADVOCACY	ADVOCACY	ADVOCACY		
17. WHO collaborates with academic institutions	VERSION AS PROPOSED BY SEPTEMBER	VERSION AS PROPOSED BY SEPTEMBER		
on advocacy for health and increasing awareness	INFORMAL CONSULTATIONS	INFORMAL CONSULTATIONS		
of health issues; for changing behaviours in the	17. WHO collaborates with academic institutions	17. WHO collaborates with academic institutions		

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interest of public health; and for fostering collaboration and greater coherence between non-State actors where joint action is required. WHO favours independent monitoring functions and therefore engages with academic institutions working in this field. Academic institutions are encouraged to disseminate WHO's policies. guidelines, norms and standards and other tools through their networks so as to extend WHO's own reach.

#### **TECHNICAL COLLABORATION**

[...]

20. Academic institutions or parts thereof can be 20. Academic institutions or parts thereof can be designated as WHO collaborating centres in accordance with the Regulations mentioned above. In this context, before granting the status of WHO collaborating centre a due diligence and risk assessment in accordance with this framework is conducted. The collaboration with these collaborating centres is regulated by the aforementioned regulations and reflected in the register of non-State actors.

#### WORKING DRAFT FOR OCTOBER MEETINGS

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#### TRACK CHANGES

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# **TECHNICAL COLLABORATION**

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