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## **GAIN, a wolf in sheep's clothing, will try once again to enter WHO's policy setting process**

WHO 134<sup>th</sup> Executive Board, Geneva 21<sup>st</sup> January 2014

Today, at WHO's 134th Executive Board Meeting (EB), the **Standing Committee on NGOs** will meet behind closed doors to review entities who are in, or are applying for, official relations with WHO – a status that allows them to make interventions during meetings when WHO's global public health policies are formulated.

Because the 'not-for-profit' legal status has been conflated with 'not working in the interest of profit-making,' various industry groupings have already incorrectly gained NGO status with WHO. Therefore, amongst the 187 groups with WHO Official Relations status, we find the **International Special Dietary Foods Industries** (ISDI, representing the baby feeding industry), **Croplife International** (representing Monsanto, Syngenta, Bayer, CropScience, Dow Agrosciences, DuPont and other companies promoting GMO technologies), **International Life Sciences Institute** (ILSI, representing Nestlé, Coca Cola, Kellogg, Pepsi, Monsanto, Ajinomoto, Danone, General Mills and others) and the **Industry Council for Development** (representing Nestlé, Mars, Unilever and Ajinomoto). All these groupings are guided by market profit-making logic (whose PRIMARY interest clashes inevitably with that of WHO) and their inclusion goes against WHO's current valid NGO policy.<sup>ii</sup>

WHO Governing bodies are now reviewing WHO policies on engagement with external actors. IBFAN believes that the objective of this process should be to further the fulfilment of WHO's constitutional mandate while protecting WHO's independence, integrity and trustworthiness. In June 2013 Dr Chan warned about powerful economic operators and industry front groups being the biggest challenges facing health promotion: *"Its not just Big Tobacco anymore. Public health must also contend with Big Food, Big Soda, and Big Alcohol. All of these industries fear regulation, and protect themselves by using the same tactic."*<sup>iii</sup> In October 2013, she said, *"these industries must not touch or influence in any way the formulation of standards and policies aimed at protecting the health of the public."*<sup>iv</sup>

IBFAN is calling on the **Standing Committee on NGOs** to prioritise public health, remove the existing industry groups from the NGO category and refuse new applications from industry front groups. One such entity with a 'not-for-profit' tag, applying to be considered in this week's EB, is the **Global Alliance for Improved Nutrition** (GAIN). GAIN has assets of \$61 million and claims to work with 600 companies and civil society organisations, with a goal to: *"reach 1.5 billion people with fortified foods that have a sustainable nutritional impact."*<sup>v</sup>

Last year the EB decided to postpone consideration of GAIN's application, because it was concerned about *"the nature and extent of the Alliance's links with the global food industry"* and asked for more information about *"the position of the Alliance with regard to its support and advocacy of WHO's nutrition policies, including infant feeding and marketing of complementary food."*<sup>vi</sup>

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This followed concerns about GAIN's activities in Kenya in 2012 when it was discovered to be pressuring the Kenyan government to weaken its draft law on baby food marketing.<sup>vii</sup> In a Policy briefing, GAIN implied that proceeding with the law would threaten *"Kenya's ability to meet its commitments as a Scaling Up Nutrition (SUN) country."*

The Kenyan Government was able to counter these threats and adopted the law without weakening it. The Head of Nutrition, Terry Wafwafa, later said that GAIN *"came in as sheep and only later did we realise that we had welcomed wolves."*

While GAIN has now apparently 'divorced' from Danone (the world's second largest baby food manufacturer and a major violator of WHO's *International Code of Marketing of Breast-milk Substitutes*)<sup>viii</sup> it is still focusing on the first '1000 days' and has many other global food companies who market foods and supplements for infants, young children and nursing mothers as members.

IBFAN hopes that [Malaysia](#), [Myanmar](#), [Namibia](#), [Panama](#) and [Lebanon](#), the five members of the EB Standing Committee on NGOs, will agree that it is a misnomer for GAIN to be accepted as an NGO when it has such a commercial objective.

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<sup>i</sup> <http://www.who.int/civilsociety/reactions/NGOs-in-Official-Relations-with-WHO.pdf>

<sup>ii</sup> The WHO NGO Policy is explicit and defines NGOs as those groups that are "free from concerns that are primarily of a commercial or profit-making nature." (Basic Documents, 47<sup>th</sup> edition, 2009)

<sup>iii</sup> [http://www.who.int/dg/speeches/2013/health\\_promotion\\_20130610/en/](http://www.who.int/dg/speeches/2013/health_promotion_20130610/en/)

<sup>iv</sup> <http://www.who.int/dg/speeches/2013/regional-committee-western-pacific/en/index.html>

<sup>v</sup> GAIN Financial Report 2012 <http://www.gainhealth.org/sites/www.gainhealth.org/files/FINAL%20AUDITED%20FS%202011-12.pdf>

<sup>vi</sup> [http://apps.who.int/gb/ebwha/pdf\\_files/EB132/B132\\_R9-en.pdf](http://apps.who.int/gb/ebwha/pdf_files/EB132/B132_R9-en.pdf)

<sup>vii</sup> <http://info.babymilkaction.org/pressrelease/pressrelease31jan13>

<sup>viii</sup> Personal communication with GAIN staff.