

4 January 2022

Anil Soni
CEO, WHO Foundation
Geneva, Switzerland

Re: Alcohol in WHO Foundation's Gift Acceptance Policy

Dear Mr Soni,

Thank you for your email on 15 September 2021, in response to the queries raised in our letter dated 15 April 2021. We appreciate your clarification regarding the relationship of the WHO Foundation (WHOF) with the World Health Organization (WHO), and that WHOF is committed to adhering to the principles set out in WHO's Framework for Engagement with Non-State Actors (FENSA). However, our concern remains that WHOF's current Gift Acceptance Policy, with the absence of a non-engagement clause for alcohol industry and because of weaknesses within FENSA, exposes WHO to influence by the alcohol industry. Here we would like to explain our views and raise further questions and comments on WHOF's Gift Acceptance Policy.

WHO policy explicitly precludes funding by the alcohol industry

WHO's internal guidance to staff on interactions between the WHO Secretariat and the alcohol industry (dated 29 March 2019) clearly states that "WHO activities cannot be funded directly or indirectly by the alcohol industry" and that "in-kind contributions to WHO projects and activities from the alcohol industry, such as contributing products, services, secondment of staff, cannot be accepted", acknowledging that "interaction with the alcohol industry within a given framework should not lead to or imply 'partnership', 'collaboration' or any other similar type of engagement that could give the impression of a formal joint relationship, the reason being that such engagements would put at risk the integrity, credibility and independence of WHO's work".¹

The Memorandum of Understanding between WHOF and WHO states that WHOF shall at all times ensure that all funding it receives is "in accordance with the principles of FENSA or any subsequent relevant policy", suggesting that funding received by WHOF should be in line with WHO's policies, such as the above mentioned internal guidance to staff. However, WHOF's Gift Acceptance Policy does not explicitly preclude donations from the alcohol industry, while maintaining that any engagement with donors should "not compromise WHO's integrity, independence, credibility and reputation".

Would WHOF please clarify how your current Gift Acceptance Policy aligns with WHO's policy of not accepting funding from the alcohol industry?

¹ Torjesen I. Exclusive: Partnering with alcohol industry on public health is not okay, WHO says. BMJ. 2019;365:l1666. doi:10.1136/bmj.l1666.

The alcohol industry is a close ally of the tobacco industry

We note that the tobacco and arms industries remain “strictly off limits” in the “red category” for the WHOF, in line with FENSA’s principle of non-engagement with these industries. In contrast, your e-mail explains that donations from the alcohol industry will be assessed on a “case-by-case basis” under the “orange category”, allowing WHOF the discretion to determine whether acceptance of a gift is appropriate.

We question whether this relative discretion applied to the alcohol industry is appropriate, given the alcohol industry has long-standing and close relationships with the tobacco industry, such as co-ownership and cross-industry shareholding,² and often engages front groups to obscure its vested interests. Notably, Altria, the parent company of cigarette manufacturer Philip Morris USA, owns 10% of shares in ABInBev, the world’s largest transnational alcohol corporation.³ Furthermore, the alcohol industry adopts strategies very similar to the tobacco industry’s, such as corporate social responsibility activities to build credibility with policymakers and market their products, while attempting to position themselves as partners in tackling alcohol harm.⁴

Given the similarities and alliances between the alcohol and tobacco industries, and as the incomplete and opaque information obtainable on alcohol industry actors would likely undermine the effectiveness of WHOF’s due diligence and risk assessment processes, we ask that WHOF place the alcohol industry under the Gift Acceptance Policy’s “red category”.

Transparency is essential for accountability

We note that WHOF’s Gift Acceptance Policy, in line with FENSA principles, requires any engagement with donors to “be conducted on the basis of transparency, openness, inclusiveness, accountability, integrity and mutual respect”. We also note the commitment in your email to sharing information on the sources and beneficiaries of funds online. However, we are concerned that as of yet there is not listing of donors on the WHO Foundation website, except the COVID19 Response Fund ([separate website](#)) and the current Gift Acceptance Policy appears inadequate to ensure transparency in WHOF’s interactions with donors. Specifically, the Policy allows donors to remain anonymous as long as their identity is known to WHOF, and does not require WHOF to publish any details of its engagements with donors, preventing public scrutiny of the Foundation’s decisions. This also appears inconsistent with FENSA (paragraph 40), which requires WHO to make public information on a non-State actor that it has decided to engage with, via the WHO register of non-State actors.

² Hawkins B, McCambridge J. Can internal tobacco industry documents be useful for studying the UK alcohol industry? *BMC Public Health*. 2018;18(1):808.

³ ABInBev. Corporate governance. Shareholder structure. <https://www.ab-inbev.com/investors/corporate-governance/shareholder-structure/>. Accessed 29 Sep 2021.

⁴ McCambridge J, Mialon M, Hawkins B. Alcohol industry involvement in policymaking: a systematic review. *Addiction*. 2018;113(9):1571-1584.

In the interest of transparency and to facilitate accountability, we ask that WHOF's Gift Acceptance Policy clearly require details of any contributions from non-State actors to be made public, including information on the non-State actor as required by FENSA, the value of the donation, documentation of any due diligence and risk assessment processes undertaken by WHOF, and the beneficiaries of the donation.

Further safeguards against conflicts of interest are needed

FENSA (paragraph 24) defines an "institutional conflict of interest" as "a situation where WHO's primary interest as reflected in its Constitution may be unduly influenced by the conflicting interest of a non-State actor in a way that affects, or may reasonably be perceived to affect, the independence and objectivity of WHO's work." As other civil society organizations have pointed out, by referring to "conflicting interests" *between* institutions, this definition fails to clearly address conflicts *within* WHO, where WHO's primary interest to promote and protect global health may conflict with its secondary interests, such as attracting funding from corporate actors whose profit-driven mandate may influence the integrity and independence of WHO's work.⁵ As such, we question whether FENSA's current definition of "conflicts of interest" provides WHO with adequate protection against undue influence by non-State actors.

Would WHOF please define "conflict of interest" in your Gift Acceptance Policy? Without an appropriate and consistent definition of "conflict of interest", it is unclear how donations received by WHOF can avoid creating conflicts of interest *within* WHO, or how the following gift acceptance condition (principle 7, paragraph e) can be operationalised: "in case of a relevant conflict of interest, any offer of a Gift can be directed from "non-earmarked" to "earmarked" funds for a particular program that is not conflicted".

We hope that our feedback can contribute to enhancing safeguards against the alcohol industry's influence on WHO's work and look forward to receiving your reply.

Yours sincerely,



Sally Casswell
Chair of GAPA

⁵ G2H2. Meeting with WHO DG Dr Tedros, 20 November 2017. Civil society concerns: FENSA and its implementation. <http://g2h2.org/wp-content/uploads/2017/11/G2H2-Tedros-2017-3-FENSA-with-annexes.pdf>. Accessed 29 Sep 2021.