

**Approved, September 20, 2017**

**Private Sector Mechanism Position Paper**

**September 2017**

**Conflict of Interest at CFS**

The UN Committee on World Food Security (CFS) is a unique multi-stakeholder decision-making forum. Achieving the SDGs, ending hunger and malnutrition requires all actors to join forces to scale up successful programs and link actions for better results. An exceptional level of collaboration between the public sector, private sector, civil society and academia is necessary to develop initiatives that can transform agricultural production and meet future food, nutrition and employment demands.

Bringing key stakeholders and alliances together on the basis of a common purpose plays a key role in achieving real actions and impact. Positive collaboration, mutual accountability and shared goals are key elements in multi-stakeholder efforts where actors from diverse backgrounds must work together effectively in implementing solution-driven approaches.

The criticality of partnerships, engagement of the private sector and cross-sector approaches have been gaining recognition in the context of development strategies and international policy-making. The 2030 Agenda for Sustainable Development, in particular SDG 17, calls for a revitalized and enhanced global partnership that brings together governments, civil society, the private sector, the UN system, and other actors, and mobilizes all available resources to achieve the SDGs ambitious targets. The report of the Third International Conference on Financing for Development<sup>1</sup>, and the FAO Strategy for Partnership with the Private Sector<sup>2</sup> also provide a clear call to action for delivering global partnerships for sustainable development.

The CFS was reformed in the aftermath of the 2007/8 food crisis to become an inclusive body bringing all actors involved in food security and nutrition together in one forum. CFS is also the foremost platform in the complex UN system to discuss all issues relevant to food and nutrition security with the aim to achieve policy convergence. CFS is meant to capture many divergent interests and to attempt to create consensus and provide science-based policy recommendations to serve Member States around the world. Every party involved in the CFS has a vested interest, responsibility and mandate to work collectively to bring about positive change in the lives of the most vulnerable to end hunger and malnutrition.

Since all parties at CFS are working on food security, nutrition and agriculture, all parties innately have interests. The cases where those interests intersect with fiduciary relationships and proposed funding

<sup>1</sup> Addis Ababa Action Agenda of the Third International Conference on Financing for Development. 2015.

[http://www.un.org/esa/fd/wp-content/uploads/2015/08/AAAA\\_Outcome.pdf](http://www.un.org/esa/fd/wp-content/uploads/2015/08/AAAA_Outcome.pdf)

<sup>2</sup> UN Food and Agriculture Organization. 2013. FAO Strategy for Partnerships with the Private Sector.

<http://www.fao.org/docrep/018/i3444e/i3444e.pdf>

should be the focus of conflicts of interest measures. Such potential cases may exist among any actor of CFS.

The PSM recommends the following measures and clarity to address the issue of conflicts of interest, and notes several of them are contained in the CFS existing rules of procedure<sup>3</sup>:

## **1. Voting is exclusively reserved for CFS member states, not participants**

- Non-state actors have a voice at CFS but do not have a vote.
- An interest in a topic being discussed should not preclude participation even in the absence of a right to vote or the absence of articulated member state support for a particular position.
- Voting and decision taking should continue to be the exclusive prerogative of Member States, as it is currently stated in the CFS Reform Document (2009), paragraph 10.

## **2. Transparency must be upfront**

- Transparency is a prerequisite to successful participation.
- Consultation/coordination mechanisms should report their respective funding sources for all CFS engagement.
- CFS participants in meetings should disclose the organization(s) and affiliation(s) they represent.

## **3. Financing for CFS**

- Funding from multiple actors is encouraged.
- Funding that is given to CFS must be directed by the CFS Bureau as per the normal rules of procedure of CFS. Any earmarked funding must support the operations of a workstream without providing any direction on the substantive aspects of the workstream or the negotiated policy outcomes.

## **4. Direct conflict of interest**

- A conflict of interest in the CFS context may occur when groups that are receiving funding from the United Nations to prepare policy positions are simultaneously advocating in their roles as independent bodies. This occurs, for instance, when consultants who write reports for the CFS and are also members of consultation mechanisms. These interests must be declared and such a consultant should remain silent on the issues where they have been contracted to provide advice to CFS.
- Conflicts of interest may also exist when parties advocate for programs for which they anticipate applying for funding to execute. Such potential conflicts of interest should be declared as well.

## **5. Anti-Corruption and Rule of Law**

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<sup>3</sup> CFS rules of procedure can be found here: <http://www.fao.org/3/a-mp046e.pdf#page=125>

- Preventing conflicts of interest requires all parties to work together and contribute solutions to build credible institutions and practices based on the rule of law, good governance, accountability, and transparency.
- All actors of the CFS may be concerned with conflict of interest: governments, private sector, research bodies, NGOs, etc...
- The private sector has demonstrated its commitment to join anti-corruption efforts implementing and enforcing company-wide anti-corruption policies and practices, increasing transparency and accountability through public reporting, and promoting integrity through the implementation of the UN Convention against Corruption and the UN Global Compact's 10<sup>th</sup> Principle against Corruption. The PSM has steadily advocated for the incorporation of language in all CFS negotiations on "rule of law, anti-corruption, transparency and accountability".

## 6. Anti-trust

- Outcomes shall not allow combinations or agreements in restraint of trade.
- Discussions among members involving pricing, sale terms, territories, production, mergers and acquisitions must be avoided to be compliant with national and regional anti-trust law.