
ENGAGEMENT WITH NON-STATE ACTORS

Introduction

1. In May 2016, the World Health Assembly adopted the Framework of Engagement with Non-State Actors (FENSA) through Resolution WHA69.10. Given the independent legal status of the Pan American Health Organization (PAHO), this policy framework did not automatically apply to PAHO until it was expressly approved and adopted by resolution of the Organization's Member States through its Governing Bodies.
2. In September 2016, PAHO Member States at the 55th Directing Council adopted FENSA through Resolution CD55.R3. Member States instructed the Pan American Sanitary Bureau (PASB or the Bureau) to implement FENSA in a coherent and consistent manner, in coordination with the Secretariat of the World Health Organization (WHO), with a view to achieving full operationalization within a two-year time frame, taking into account the constitutional and legal framework of PAHO. The Bureau was also requested to report on the implementation of FENSA to the PAHO Executive Committee, through its Subcommittee on Program, Budget, and Administration, under a standing agenda item to be considered each year during the June session of the Committee. This document contains the report of PASB for 2023.
3. The annual report of PASB on Non-State Actors in Official Relations with PAHO, which is part of the implementation of FENSA in PAHO, will be presented to the Subcommittee on Program, Budget and Administration under a separate agenda item.

Implementation and Engagement

4. The Bureau began implementation of FENSA immediately after it was adopted by PAHO Member States in September 2016. To promote engagement while ensuring compliance with the Framework, the PAHO FENSA Focal Point conducts training and informs personnel of applicable procedures. The PAHO FENSA Focal Point continues to provide guidance and recommendations across the Organization to ensure the consistent application of FENSA, seeking ways to encourage engagement while avoiding, mitigating, or managing risks. Information about FENSA is included in the induction and training program for new PAHO/WHO Representatives (PWR). The PAHO FENSA Focal Point also reviews relevant internal policies and procedures to ensure they are updated and efficient.
5. The Bureau continues to coordinate closely with the WHO Secretariat, taking into account the separate legal status and Constitution of PAHO, as requested by PAHO Member States when they adopted FENSA. In 2023, the PAHO FENSA Focal Point attended two meetings of the Global FENSA Network to share best practices and relevant information, participated in the development of a

checklist and due diligence format, and discussed ways to continue implementing FENSA in an efficient manner. PASB also provided comments and suggestions on the updated version of the Handbook for non-state actors on engagement with the World Health Organization and contributed to the WHO Report on Implementation of FENSA (Document EB154/36).

6. As PAHO has done for many years, including prior to the adoption of FENSA under PAHO's Guidelines for Collaboration with Private Enterprises, PASB proactively engages with a broad range of non-State actors in an effort to support PAHO Member States and to fulfill the Organization's mission. FENSA, as an enabling policy, provides a firm basis for strengthening and expanding such engagements for a positive impact on public health. PASB follows its well-defined standard operating procedures for due diligence and risk assessment, consistent with paragraphs 29–36 of FENSA. The due diligence review is based on information provided by the non-State actor, a search for information about the entity from other sources to independently verify the information provided and to obtain additional insights about the non-State actor, and an analysis of all the information collected to reach a clear understanding of the non-State actor and its profile. The PAHO FENSA Focal Point then conducts a risk assessment of the specific proposed engagement to determine whether risks exist and whether they can be mitigated or managed, if not avoided. The potential risks are weighed against the expected benefits. Through this procedure, FENSA enables PASB to promote engagements with non-State actors while preserving the Organization's independence, integrity, and reputation.

7. In 2023, PASB conducted FENSA reviews for more than 300 proposed engagements, as well as for those entities in official relations with PAHO. As in previous years, the reviewed proposals and subsequent engagements spanned all technical areas and PWR Offices. A few examples of the Organization's engagements with non-State actors include: activities aimed at supporting cervical cancer elimination; increasing detection and responsiveness capacity to AIDS, viral hepatitis, and tuberculosis; strengthening diagnostic, preparedness and response capacity of health systems; and, conducting activities to raise awareness of mental health. PASB personnel also participated in and facilitated numerous in-person and virtual meetings and events with non-State actors, which enabled PASB to raise awareness and advocate for the health priorities of the Organization. In addition, one secondment from a non-State actor was reviewed and approved.

8. Consistent with previous years, approximately 97% of the proposed engagements reviewed by the PAHO FENSA Focal Point were approved, as the benefit to public health outweighed any residual risks. In the few instances where engagement was not recommended, the recommendation was consistent with paragraph 44 of FENSA due to the links of the non-State actor to the tobacco industry. In addition, there were a few instances where engagement was not recommended because of conflicts of interest or other risks that could not be mitigated or managed.

9. The Bureau also conducted due diligence and risk assessment on non-State actors applying for or seeking renewal of the status of official relations with PAHO. PASB maintained close collaboration with those non-State actors in official relations with both PAHO and WHO, and 30 delegates from 17 non-State actors in official relations attended the 60th Directing Council in September 2023.

10. An online training course was launched in 2023 that is currently available to all PASB staff in English and Spanish. The course is designed to provide personnel with a better understanding of FENSA as an enabling policy, the risks and benefits of engagement, and the processes to follow in the Organization. The FENSA Focal Point also provided virtual training sessions to numerous PWR Offices, as well as an in-person training on FENSA during a workshop in November 2023 that included participation of staff from 25 PWR Offices.

11. Although FENSA has been fully implemented in PAHO, challenges persist. There remains an ever-increasing need to respond quickly to proposed engagements, both emergency and nonemergency, with a push for a faster response time. The PAHO FENSA Focal Point is working on projects to increase efficiency and will report on progress in the future. There is also a need to increase training to all personnel, and the online training course should support this effort.

Action by the Subcommittee on Program, Budget, and Administration

12. The Subcommittee is invited to take note of this document and provide any comments it deems pertinent.
