

Conflict of Interest: A Case for Legislation

AACI Update-7

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“At a certain level of learning and understanding, right or wrong ain't the issue, but different interest.”

Toba Beta,
Author
Master of Stupidity

To ba Beta is an economist in Indonesia financial industries and capital market. He also writes journals, novels and poems.

Protecting people against vested interests in public policy

The purpose of this update is to provide specialised information on the issue of conflict of interest in policy and programmes across the globe to the concerned people including members of AACI, public interest groups, people fighting corruption, interested policy makers and others.

IBFAN Organized a Global Capacity Building Workshop on Conflict Of Interest in London, UK

Experts in the field of infant and young child feeding assembled in London in the month of December 2015 to deliberate on Conflicts of interest (Col) issues and concerns in the infant and young child feeding arena.

The workshop was organized by IBFAN Asia (Breastfeeding Promotion Network of India, BPNI), New Delhi; in collaboration with IBFAN-GIFA, Geneva; and Baby Milk Action (BMA), Cambridge and co-sponsored by School of Law and Social Justice, Liverpool University.

Aim of the workshop was to build the capacity within the IBFAN Network & like-minded CSOs; and outreach to members of the Conflict of Interest Network (COIN) and other public interest NGOs, professional organisations, engaged academics and MPs with the primary objective was to assist participants to more effectively raise alarm to Col issues; and publicly argue for more appropriate Col safeguards.

In the context of infant and young child feeding, conflicts of interest do not only apply to health professionals. It may arise for anyone (including a non-professional health worker or health educator) or any organisation (e.g. hospitals, NGOs, or government agencies) responsible for promoting optimal infant and young child feeding when they accept gifts or funding from baby food industry. Common examples include acceptance of gifts, payment for attendance of lectures and conferences, products, samples, funding for health programmes, and grants for research projects.

The International Code of Marketing of Breastmilk Substitutes was adopted by the World Health Assembly (WHA) in 1981. Since the Code's adoption, IBFAN has been at the forefront of monitoring manufacturers' compliance with the Code's provisions and in urging governments to fully implement it. Yet, national progress has been slow.

In fact the World Health Assembly resolutions do specifically warn the producers of breastmilk substitutes with particular focus on financial Conflict of interests created by corporate sponsorship but the reality on the ground is different. Baby food companies do not adhere to these roles. Instead, they are using the heavily promoted public-private partnership/multi-stakeholder model to position themselves as responsible 'corporate citizens' who should be seen as 'a part of the solution' - not a party to be regulated. Such situations or positions give scope to companies to take political and economical advantages.

The workshop also discussed a tool developed by IBFAN as part of capacity building on conflict of interest named Understanding Conflicts of Interest to Safeguard Democratic and Evidence-based Health and Nutrition Governance. It allows people to identify and regulate conflict of interest, and some suggestions of how to put conflict of interest regulation more centrally on the agenda of public institutions and other public interest actors.



Link: <http://www.aaci-india.org/global-consultation.html>



Cricket and Conflict of Interest, Anil Kumble's Selection as the New Indian Team Coach Creates Uproar

It all started with Kumble's selection as the new head coach for Indian cricket team in June 2016. The moment the news broke allegations of conflict of interest started to crop up. He was constantly questioned for having an association with Tenvic, a company "in the business of sports and consulting".

Though Kumble expressed disappointment on being questioned for conflict of interest, he expressed that the issue has been already discussed with BCCI and appropriate actions will be followed.

A twist in the tale came when a recent report by DNA Newspaper alleged Kumble's process of selection conflicting

and biased. VVS Laxman, who was on the CAC with Sachin Tendulkar and Ganguly, is the second largest shareholder in Kumble's company, Tenvic Sports Education Private Limited. He held (and continues to hold) 33,332 shares in the company at the time of the selection.

Ravi Shastri being one of the interviewee for the same post seems to be disappointed with Ganguly missing his skype interview. The tweet followed trolls of shaming each other with unpleasant comments professionalism and seriousness towards their duties.

Anil Kumble is the chief coach of the Indian cricket team now but controversies surrounding Anil Kumble's selection has been bothering BCCI. However, it is apparent that the Board's attempt to maintain transparency has been questioned. Ethically Anil Kumble should be kept away from all Board committees to avoid any sort of conflict of interest.

Link: http://www.firstpost.com/sports/vvs-laxman-sourav-ganguly-ignored-conflict-of-interest-in-selecting-anil-kumble-suggest-reports-2864584.html?utm_source=FP_CAT_LATEST_NEWS

Link: <http://sports.ndtv.com/cricket/news/259972-anil-kumble-promises-to-resolve-conflict-of-interest-issue-before-taking-charge>

Chief Minister of Karnataka K Siddaramaiah's son posed with conflict of interest allegations

Chief Minister of Karnataka K Siddaramaiah has been hinted by congress that his son Yathindra should quit as director of a company that has won a government contract. The Opposition alleges the company has been favoured because of the VIP connection.

A private diagnostic company called Matrix Imaging Solutions, won the government hospital's contract for diagnostic labs. K Siddaramaiah's son is a pathologist by profession and the company is owned by his friend. He claimed there is no conflict of interest as the process of selection is transparent and the company won it because of merit as the lowest bidding cost.

But Digvijaya Singh congress general secretary, who has charge of Karnataka asked Yathindra to quit the company at "a personal level". Yathindra is considering stepping down from the company but according to his father it's not required because company is not directly owned by his son.

Though it's a matter of code of conduct and agreed that the direct owner of the company is not minister's dependent family member, but it does allow scope for conflicting of interest considering the chief minister's son is on board of directors.



Link: <http://www.ndtv.com/karnataka-news/new-controversy-and-a-message-from-delhi-for-karnataka-chief-minister-1395904>

Post media pressure Shiv Sena's Ravindra Waikar and BJP's Pankaja Munde resigns from private Companies



Following a media report disclosing conflicting roles of various ministers from Maharashtra, many ministers have step down from their conflicting private businesses and firms.

The model code of conduct for ministers says a minister, within two months of assuming office, should sever all connections, short of divesting himself of ownership, with the conduct and management of any business that he was interested in before being appointed minister. It says that the minister may transfer his interest, and even ownership and management to any adult relative associated with the conduct or management of the business, except the spouse.

Recent on the list are Shiv Sena's Ravindra Waikar and BJP's Pankaja Munde. Pankaja Munde, minister for women and child development, rural development, water conservation and employment guarantee scheme, resigned from two private firms in which she was a director.

Shiv Sena's Ravindra Waikar, minister for housing, who was on the board of a firm operating in the housing, also claimed that he has expressed that he wants to resign from Icchapurti Infrastructure Pvt Ltd.

Stepping down of ministers from their conflicting roles in private firm is a result of media's proactive investigation and reporting.

Link: <http://indianexpress.com/article/india/india-news-india/under-conflict-cloud-2-more-maharashtra-ministers-bjps-pankaja-munde-and-senas-waikar-give-up-pvt-posts/>

National Academy of Sciences, Washington DC under scanner for producing biased GMO research



The National Academy of Sciences, based in Washington D.C works on agricultural biotechnology focusing GMOs is under scanners by the farmers and public interest groups.

The study is being alleged to lack of balance, perspective and independence among experts chosen to carry out a taxpayer-funded National Academy study. The Academy's findings will likely shape how food is produced in the future.

However, at least six of the 13 committee members elected have financial conflicts of interests with the biotech industry, four of which are not publicly disclosed. The expert committee is said to have large presence of industry supporters in the Academy's work.

According to Food & Water Watch report no precautionary principle or critics of industry practices were invited to participate as committee members. Similarly, no farmers or farmer groups—nor consumers or consumer groups—were invited, even though the focus of the Academy's work is on agricultural biotechnology and food products. Interestingly the Academy receives millions of dollars in donations from biotech companies and allows industry representatives to sit on high-level boards overseeing operations.

According to Tim Schwab, Senior Researcher at Food and Water Watch, the Academy has fallen short on congress rules and regulations on avoiding bias and is producing one sided research work.

Link: <http://inthesetimes.com/rural-america/entry/19256/gmo-regulation-national-academy-of-sciences-agricultural-biotechnology>

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List of members on AACI Website

We're on the Web!

See us at:

<http://www.aaci-india.org>



About AACI

The Alliance Against Conflict of Interest (AACI) is an alliance of organisations and individuals working in various sectors – doctors, lawyers, women's and children's health groups, activists and media. AACI works on issues of/on conflict of interest and brings them to the notice of the parties involved, the government and media. AACI aims at having a legal protection from conflict of interest in all sectors in public policy and institutionalise ethics and transparency.