GLOBAL CONGRESS ON IMPLEMENTATION OF THE INTERNATIONAL CODE OF MARKETING OF BREAST-MILK SUBSTITUTES
Group Work Facilitation Instructions

Overarching points for facilitators

- First and foremost, thank you for taking on this role!
- These instructions are organized by theme.
- There are two main sections per theme:
    - Background information for facilitator
    - Flow of session
- Please read both sections in their entirety before the session begins. This will help ensure that you have the necessary tools, information, and pacing for the session.
- In the flow of session sections, information is designated as:
    - ***Read aloud:*** Say this text as written
    - ***Say in your own words:*** Summarize these points
    - ***Do not read aloud:*** Background information for you only
- Please adjust the pacing as needed in your group, while ensuring the session begins and ends on time.
- If you encounter any major challenges or issues during your session, contact Jeanette McCulloch, Kathy Shats, or Larry Grummer-Strawn via WhatsApp for support.
    - Jeanette McCulloch +1 773 401 0110
    - Kathy Shats +1 305 299 0352
    - Larry Grummer-Strawn +41 79 275 64 62
- Please be sure to check the facilitator WhatsApp group for any new announcements before you close each day.

Theme 2: Industry interference

Background information for facilitator	
Date	Tuesday, 20 June
Time	Total: 2 hours Start: 15:30 End: 17:30
Seating arrangements	• Delegates may sit where-ever there is space. They do not need to sit with country delegations. • Chairs can be moved around to help them be closer together, but the tables cannot be moved.
Materials needed	1. Supplementary slides can be found here: Group work session 2 slides (1).pptx 2. Computer screen to display slides and list group discussion ideas 3. Flip charts to take notes in each small group 4. Markers for writing on large paper 5. Summary worksheet in packet for each participant
Objectives	1. Sensitize audience to pervasive nature of industry interference tactics in policy making and implementation 2. Understand that protecting policy and government processes from industry interference is an essential first step to ensure that a strong Code law can be developed, introduced and implemented 3. Learn about conflict-of-interest mechanisms that can be incorporated into national regulatory frameworks 4. Assess gaps and opportunities to strengthen national regulatory frameworks to protect against industry interference

Flow of session		
1.	Introduction (5 minutes)	*Say in your own words:* • Welcome participants. • Ask participants to introduce themselves when they speak as part of the discussion. • Explain that you will be presenting a scenario.
2.	Present scenario	***Do not read aloud:***

	(10 minutes)	• Put up slide titled "SCENARIO"
		Read aloud:
		• You work within the Health Ministry in your country.
		• You learn through a legal colleague in the Attorney-General's department that a large formula company has been invited to a meeting to discuss the legal aspects of the national Healthy Children Policy Plan, that will take place at the Attorney-General's department in three days.
		• One of the elements of the Plan is a proposal to strengthen the national Code laws and regulations.
		• When you ask how this happened, you learn that the formula company representative approached the Minister of Agriculture who was very impressed by their donations of water during a drought a few months ago. The Minister of Agriculture suggested to the Attorney-General that they should be invited to this meeting.
		• Luckily, you have built a relationship with this lawyer, and they extend an invitation to your ministry to attend the meeting.

3.	Question for whole group discussion (20-30 minutes, depending on depth of discussion)	*Read aloud:*
		• What can you do now?
		
		Do not read aloud:
		• Encourage government participants to speak up first, and ask that others (CSOs, UN) take a supportive role and mostly listen (we want to ensure that CSOs don't dominate the conversation and that government participants become more comfortable discussing these issues).
		• This is a broad question, so that the discussion can develop organically, however prompting may be required. What we're looking for is:
		    ○ First, suggestions to try to stop the industry from attending the meeting, or to stop the meeting from taking place.
		    ○ Ask for suggestions on how this could be done, and the reasoning that could be used.
		• Then, please prompt discussion about what they can do if the meeting is going ahead, and the industry is still attending (mitigation strategies).
		    ○ Ideas may include suggesting that the meeting is made open to the public and all other stakeholders are also

		invited, or that the meeting is recorded and the recording is made public, or suggest they leave the meeting when the Code agenda item comes up, or that notes are taken of the meeting and those are made public along with a list of participants etc. ○ Encourage other creative ideas on possible mitigation measures. • Record the ideas on a flip chart where everyone can see to allow for the slides to remain on the screen. (If not possible, type and display through the computer screen).
4.	Continue scenario (5 minutes)	***Do not read aloud:*** • Move to next slide that contains the next part of the story • Aside from reading the story, no additional discussion is needed. ***Read aloud:*** • Despite your best efforts, the meeting has gone ahead. • You have learned that the formula company representatives are now formally part of the newly established advisory team to the Attorney-General's drafting team. ***Say in your own words:*** • Note that versions of this scenario are a very common occurrence and one of the key ways that formula companies are able to weaken laws.
5.	Questions for small group discussion (30-40 minutes)	***Do not read aloud:*** • Advance slides to "Questions for smaller group discussion" • Have the participants divide into smaller groups for discussion, including delegates from their own country and others. • Present the next question for discussion within each sub-group, depending on seating configuration. • Keep an eye on time and ensure groups are discussing all three questions. ***Read aloud:*** • What could have been put in place before to prevent this from taking place? • Which existing mechanisms could you use to prevent this from happening in your own country?

		• Which gaps exist in your country, and which additional mechanisms may need to be established to prevent industry interference?
6.	Report back (30 minutes)	***Do not read aloud:*** • Report back of key ideas to the full group in the room • Allow time for discussion • Each subgroup should share one new idea they came up with, trying not to repeat ideas that have already been presented by another subgroup.
7.	Completion of summary notes (10 minutes)	***Say in your own words:*** • Have the countries regroup into their own country delegation. • Using the summary worksheet that was distributed in the Congress folders (page 1, lower half), have the countries decide on and record key action items / next steps based on the gaps and opportunities identified in the small group discussions. ***Say in your own words:*** • They should develop a collective answer for their country based on the inputs of all delegation members.
8.	Conclusion (2 minutes)	***Say in your own words:*** • Thank delegates for their participation in the discussion. • Remind them to bring their packets back the second day as they will be using them in the breakout sessions. • Invite them to watch the <u>optional</u> film "Tigers" in the auditorium, running from 5:50-7:20 pm, noting that no food or drinks will be served nor allowed in auditorium. • Remind them to be back in the auditorium Wednesday morning, seated by 9:00 am. • End of session.

Theme 3: Diagnosing National Code Laws

Background information for facilitator	
Date	Wednesday, 21 June
Time	Total: 1 hour Start: 11:00 End: 12:00
Seating arrangements	• Ensure that all members of the country delegation are seated together. • Delegates with a global remit, such as staff from international NGOs and networks, can choose which country group to work with. • Chairs can be moved around to help them be closer together, but the tables cannot be moved.
Materials needed	1. Analysis of national law provided in Congress packet. 2. Summary worksheet in packet for each participant
Objectives	1. For each country delegation to fully understand the gaps in their national legislation on the Code. 2. For countries with no Code legislation, to help them better understand the Code in general.

Flow of session		
1.	Introduction (3 minutes)	***Say in your own words:*** • Welcome participants. • Ask participants to introduce themselves when they speak as part of the discussion.
2.	Code State Report Analysis – Review (10 minutes)	***Say in your own words:*** • Each delegate should have in their folders a copy of the Code Status Report 2022[1] analysis of their country's legislation (or fictitious substitute if the country has no law). • Have the countries pull out their analysis and discuss within their country delegation anything that surprises them. Have

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[1] The full report can be accessed here if necessary:
https://apps.who.int/iris/bitstream/handle/10665/354221/9789240048799-eng.pdf?sequence=1&isAllowed=y

		them make notes in the margins of issues they would like to explore further.
		• For countries with only one delegate, they should work alone on this exercise.
3.	Group discussion (35 minutes)	***Do not read aloud:*** • Divide the room into groups of approximately 3 countries per group. This can be done using countries that are already seated near one another. • Groups will vary in size since the size of delegations varies, but this is fine. • Facilitators should join the groups to listen but not lead the conversation. They can interject probing questions if the discussion dies down. • If there are more groups than facilitators, the facilitators can spend half the time in one group and half in the other. ***Say in your own words:*** • Within these groups, have the countries share with one another the significant gaps in their legislation. • When one country has Code provisions that are not covered in other countries, have them describe how this provision was adopted or has played out in practice.
4.	Completion of summary notes (10 minutes)	***Say in your own words:*** • Have the countries regroup into their own country delegation. • Using the summary worksheet that was distributed in the Congress folders (page 2, upper half), have the countries discuss the following question: ***Read aloud:*** • "What aspects of BMS marketing are not sufficiently covered in your current national legislation? What opportunities are there to address these gaps?" ***Say in your own words:*** • They should develop a collective answer for their country based on the inputs of all delegation members.
5.	Conclusion (2 minutes)	***Say in your own words:*** • Thank delegates for their participation in the discussion. • Remind them to be back in the auditorium after lunch, seated by 1:30 pm.

		• End of session.

Theme 4: Addressing Gaps and Opportunities to Strengthen Governance Mechanisms

Background information for facilitator	
Date	Wednesday, 21 June
Time	Total: 1.5 hours Start: 15:30 End: 17:00
Seating arrangements	• Divide the participants into 3 subgroups (adjust room seating plan accordingly to the best of your ability) for a 'world café' exercise. • They do NOT need to sit with others from their countries.
Materials needed	1. Flip charts for taking notes from the subgroup discussions 2. Summary worksheet in packet for each participant 3. Extra pens, markers for flip charts
Objectives	1. Sensitize participants to how considerations of authorities, institutional capacities and governance are key in determining whether a Code law can be successfully implemented. 2. Participants to gain an understanding of the key public health governance issues that need to be considered before a law is drafted or amended. 3. Participants to consider gaps and opportunities to strengthen governance mechanisms in their country laws.
Notes to inform session	For more information on the World Café exercise used in this session, see: https://theworldcafe.com/key-concepts-resources/world-cafe-method/.

Flow of session		
1.	Introduction – general (5 minutes)	***Say in your own words:*** • Welcome participants. • Ask participants to introduce themselves when they speak as part of the discussion.
2.	Introduction – objectives & exercise (5 minutes)	***Say in your own words:*** • Introduce the **objectives** for the exercise (see above) • Introduce the **World Café** exercise: ○ During this exercise, we will be discussing <u>3 key issues</u> in 3 subgroups:

		(1) Strengthening governance mechanisms
		(2) Strengthening financing mechanisms
		(3) Strengthening legal mechanisms
		
		 o For each of these issues, we will consider <u>2 questions</u>:
		  (a) In your experience, what are the key **gaps/barriers** that have impeded implementation of Code laws in your country?
		   ▪ Or for countries with no existing Code law, which are existing gaps in the regulatory frameworks that will need to be addressed).
		  (b) Based on your experience (including with other laws) what are some **solutions** or potential ways to address these issues?
		
		 o Each of the 3 subgroups will have one facilitator who will remain at the same table for the entire exercise. Their role is to take notes on the flip charts/paper provided (one per group), to brief participants, and then to report back.
		
		 o After 15 minutes of discussion, all participants – except the facilitators – will rotate to a different table (ideally splitting up from each other).
		
		 o Once they arrive at their new table, the facilitator at their new table will briefly summarize the ideas generated by the previous group, and ask this new group <u>to add</u> new ideas.
		
		 o After 15 minutes, they will rotate to their final table and repeat.
		
		Do not read aloud:
		 • If there are not enough official facilitators in the room, identify someone from UNICEF, WHO or civil society to take on this role.

3.	World Café exercise (45 minutes)	***Do not read aloud:*** • Follow the instructions listed above.

- Remember to keep time and have participants switch tables after 15 minute intervals. If participants struggle to identify gaps and solutions, you may have the subgroup facilitators add the following prompts to stimulate discussion:

(1) Governance mechanisms
- Is there an explicit and effective coordinating mechanism for coordination with the different institutions responsible for implementing the Code (governmental, non-governmental, and civil society)?
  - Are responsibilities clearly set out? Are there accountability mechanisms?
  - Do all the key actors within the institutions have sufficient decision-making authority to implement the relevant sections of the law?

(2) Financing mechanisms
- Is there a specific budget for the implementation of the code? What about monitoring and enforcement?
  - How is this budget established? Is it based on established figures or negotiated?
- What are the sources of funding for each and when/how are they established? Do they specifically account for post-market surveillance, monitoring and enforcement?
- What additional sources of funding might be available (e.g., increasing licensing fees or using fines from enforcement actions)?

(3) Strengthening legal mechanisms and authorities
- Does the law provide clear allocation of responsibility to the right agencies for a) implementation, b) monitoring, and c) enforcement of specific components of the Code?
- Are the regulations sufficiently clear?
- Which mechanisms could the law or regulations contain to ensure successful implementation?

		● Are there clear divisions of responsibility between national and subnational (e.g. local) levels of implementation set out in the law? ● Can budgets or some sort of financing mechanism for the various institutions be included in the law or regulations?
4.	Report back & synthesis (15 minutes)	***Do not read aloud:*** ● After the three rounds of discussion, participants can stay where they are. 　○ ***Subgroup facilitators – say in your own words:*** ● Briefly summarize the list of barriers and solutions for each issue.
5.	Completion of summary notes (10 minutes)	***Say in your own words:*** ● Have the countries regroup into their own country delegation. ● Using the summary worksheet that was distributed in the Congress folders (page 2, lower half), have the countries discuss the following question: ***Read aloud:*** ● "Which institutional or governance mechanisms should be strengthened in your country to facilitate better implementation of Code laws and how can this be achieved?" ***Say in your own words:*** ● They should develop a collective answer for their country based on the inputs of all delegation members.
6.	Conclusion (2 minutes)	***Main facilitator – say in your own words:*** ● Thank delegates for their participation in the discussion. ● Remind them to bring their packets back the second day as they will be using them in the breakout sessions. ● Invite them to the reception in the main cafeteria. ● Remind them to be back in the auditorium Thursday morning, seated by 8:30 am. ● End of session.

Theme 5: Strengthening National Monitoring and Enforcement Plans

Background information for facilitator	
Date	Thursday, 22 June
Time	Total: 1 hours and 15 minutes Start: 11:15 End: 12:30
Seating arrangements	• Ensure that all members of the country delegation are seated together. Countries with small delegations can be combined where necessary. • Delegates with a global remit, such as staff from international NGOs and networks, can choose which country group to work with.
Materials needed	1. Summary worksheet in packet for each participant 2. Slides for theme 5
Objectives	1. Identify multiple mechanisms for identifying violations of national Code laws. 2. Understand systems for reporting and adjudicating whether an activity violates the law. 3. Describe sanctions that can be applied to enforce national laws.

Flow of session		
1.	Introduction (3 minutes)	*Say in your own words:* • Welcome participants. • Ask participants to introduce themselves when they speak as part of the discussion.
2.	Present scenario (5 minutes)	*Do not read aloud:* • Put up the slide titled "scenario" *Read aloud:* • The manufacturer of "Goldenmilk" has launched a new marketing strategy for its follow-up formula brands, "Goldenmilk 2" (Follow-up Formula) and Golden milk 3 (Follow-up Formula for older infants).

3.	Questions (35 minutes)	

		• The labels of all "Goldenmilk" baby formula milks, including its stage 1 infant formula, include the same graphics highlighting that the products contain DHA (docosahexaenoic acid) and ARA (arachidonic acid), MFGM (Milk fat globule membrane) and GOS (galactooligosaccharides) probiotics.
		• The labels claim that Goldenmilk is the "#1 recommended brands by pediatricians" and that Goldenmilk Stage 1 "is patterned after mature breastmilk and offers proven clinical outcomes in 3 key areas: brain development, immune health and growth".
		• The advertising campaign does not promote the stage 1 infant formula, only the stage 2 and 3 follow-on milks, and includes the following elements:
		
		    o Television commercials and advertisements in newspapers
		    o Billboards
		    o Facebook page – including an invitation to join the Goldenmilk mother's club
		    o Influencers (mothers who endorse the milks on social media)
		    o Growth charts and calendars donated to hospitals that feature the "Goldenmilk" name.
		    o Buy one get one free offer in supermarkets.
		    o A series of scientific meetings to present the milks to paediatricians.

3.	Questions (35 minutes)	***Say in your own words:*** • Explain that country teams will work together to answer 3 questions. For countries that do not currently have Code legislation, consider how monitoring and enforcement should be organized if your country were to pass Code legislation covering the violations on the previous screen. ***Read aloud:*** For each of the elements of the advertising campaign listed above: 1. How many of the 7 elements of the advertising campaign listed above are violations of your national law? 2. Under your current system, who is responsible/empowered to detect and report violations that occur:

		a. In the media and in public (e.g., television commercials and billboards)? b. On-line and digital promotion (e.g., Facebook, Youtube, Influencers on social media) c. In the health care system (e.g., equipment or materials, free supplies donated to hospitals or gifts to healthcare staff)? d. In supermarkets or shops (e.g., special displays or special offers and discounts)? e. On labels (e.g., health claims, idealizing graphics or lack of required warnings)? f. Through company sponsorship of scientific meetings? 3. If no-one is currently responsible for monitoring such violations, which bodies/organizations in your country could be called upon to assist in monitoring (e.g. FDA, environmental health, hospital accreditation agency)? 4. Who should violations be reported to and who judges whether an activity violates the law? 5. What sanctions are currently available under your law?
4.	Report back/Group discussion (20 minutes)	***Say in your own words:*** • Your group will hold a guided discussion with facilitators asking countries volunteer answers to each of the questions raised and share successes or challenges. • Conclude by emphasizing that the NetCode Protocol for on-going monitoring is available to assist in developing the necessary sustainable monitoring and enforcement system.
5.	Completion of summary notes (10 minutes)	***Say in your own words:*** • Have the countries regroup into their own country delegation. • Using the summary worksheet that was distributed in the Congress folders, have the countries discuss the following question: ***Read aloud:*** • "What national enforcement mechanisms are in place to respond to Code violations? How could these be further strengthened?"

		Say in your own words:
		• They should develop a collective answer for their country based on the inputs of all delegation members.
6.	Conclusion (2 minutes)	*Say in your own words:* • Thank delegates for their participation in the discussion. • They will return back to this same room after lunch for the final breakout session. They should be back by 1:45 pm. • End of session.

Theme 6: Making Concrete Action Plans

Background information for facilitator	
Date	Thursday, 22 June
Time	Total: 1 hour 45 minutes Start: 13:45 End: 15:30
Seating arrangements	• Ensure that all members of the country delegation are seated together. • Delegates with a global remit, such as staff from international NGOs and networks, can choose which country group to work with.
Materials needed	1. Supplementary handout can be found HERE: Theme 6 work sheet (1) (1).docx 2. Slides for theme 6 3. Flip charts 4. Markers 5. Small speech-bubble-shaped for groups to write their final goals

Objectives/outcomes	• Member States identify their 6-month and 2-year goals in their action plans
	   ○ One group member inputs their finalized goals into a Google Form
	   ○ One group member writes the ask onto the speech bubble and tapes it onto the string of commitments to be displayed in the main auditorium
	 • Delegates set an individual goal they can complete back home
	 • Participants agree upon a plan to continue networking with each other in a regional network.

Notes to inform session	Facilitators, please take note of interesting commitments that can be highlighted on the main stage. Please send these via WhatsApp to Larry.

Flow of session		
1.	Introduction (5 minutes)	***Say in your own words:*** • Welcome participants. • Ask participants to introduce themselves when they speak as part of the discussion. • Ensure that each country has an elected scribe.

| 2. | Country group work

(60 minutes) | **Say in your own words:**
• In country groups, member States, CSOs and academics collaboratively discuss the questions on the worksheet.

Do not read aloud:
• Challenge delegates to be SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound) with their commitments.
• Delegates are encouraged to reflect on the thematic questions in their welcome packs and any discussions they have had on these in the previous days.
• Keep track of time and ensure groups complete the first three questions in the worksheet. The last question is the solo task of setting an individual goal.
• Take note of any unique country commitments that can be highlighted on the main stage. Share the list with Larry Grummer-Strawn (WHO) via WhatsApp.
• Ensure the finalized goals are inputted into a Google form and on a speech bubble.
• Ask delegates to take their speech bubble and tape it onto the string of commitments to be displayed in the auditorium.
• Note that some delegates may be reluctant to make commitments without seeking input or support in their home context. Please share that they are not making a commitment for their country as a whole, but for themselves as a team. They should be aspirational as to what they hope to achieve but also try to be realistic given what they know about their country.

Read aloud:
1. **Identifying opportunities (15 minutes):** What opportunities can be used to strengthen Code regulation and legislation? (CSO/academics can flag new avenues and routes that Governments might have overlooked)
2. **Power mapping (20 minutes):** Who are the allies and opponents? What teams/people should be involved in the BMS Code? And how can CSO/academics and governments work better together?
3. **Drafting SMART Commitments (20 minutes):** What do you hope to accomplish in the next two years? What can be accomplished in the first 6 months? Identify actions in one |

		of the streams: advocacy, new legislation, monitoring systems and effective enforcement. (CSO/academics can offer inputs into what these goals should be and how they can support member states in advancing them 4. **Setting Individual goals (5 minutes):** What will each delegate do in the first month back home? One commitment per person. *Say in your own words:* • **By the end of the exercise, the country groups will input their finalized goals into a:** 1. **Google form** 2. **Speech bubble note** (this will form part of a large visual display of country commitment in the main auditorium).
3.	Group discussions about NetCode Regional Workshops, plus delegates' feedback (20 minutes)	***Do not read aloud:*** • While countries are still in breakout groups, we ask that facilitators lead a discussion on NetCode regional working groups and gather feedback on the proposed shape, structure and scope. *Say in your own words:* • Briefly summarize the TOR for the Regional Code Networks. Key aspects to highlight are the following (extracted from the TOR): 1. **Purpose:** These regional networks would facilitate information sharing across countries regarding current activities, make tools and resources developed in individual countries more readily accessible to other countries, and create capacity-building opportunities for countries within the region. 2. **Formation of networks:** The country groupings used during the Congress could serve as a possible set of countries. 3. **Network meetings:** It is expected that each regional network will meet virtually on a monthly or bi-monthly basis. In addition to general information sharing and updates, the primary agenda of each meeting would likely be one country reporting on its current activities related to the Code or a presentation on new tools or resources available to support country implementation.

		4. **Facilitation**: Each regional network would need to be facilitated. WHO and UNICEF may serve as facilitators but others could be recruited.
		<u>Questions to ask the delegates:</u>
		1. Does the purpose feel right?
		2. What else can these regional groups cover?
		3. What support do you require?
		4. How frequently should the groups meet?
		<u>Outcomes for the NetCode discussion:</u>
		• Gather delegates' feedback on the TOR.
		• Take note of delegates who express interest in the facilitator role.
4.	Wrap-up (15 minutes)	*Say in your own words:* 1. Ask delegates to take their speech bubble and tape it onto the string of commitments to be displayed in the auditorium.
5.	Conclusion (2 minutes)	• Thank delegates for their participation in the discussion. • Remind them to be back in the auditorium after the coffee break, seated by 4:00 pm. • End session.