

**Open Letter
to the Executive Board of the
World Health Organization**

January 2017

Dear Members of the Executive Board,

Re: Conflict of interest safeguards far too weak to protect WHO from influence of regulated industries (the case of the Bill and Melinda Gates Foundation)

With all the World Health Organization’s posturing about conflict of interest safeguards and due diligence in its [new approach to collaborating with non-state actors](#) in its recently revised constitutional “Basic Documents,” the WHO ended speculation about its ambiguous plan when it proposed to admit the Bill and Melinda Gates Foundation into “Official Relations” with the WHO and as a non-voting member of its governing body, the World Health Assembly.

According to the United States Government’s Securities and Exchange Commission, the [Bill and Melinda Gates Foundation Trust endowment](#)—the source of revenue for the Foundation—is heavily invested in many of the food, alcohol, and physical inactivity-related consumer products that cause or treat the current crisis of preventable heart disease, stroke, cancer, and diabetes. [Gates Foundation Trust](#) direct investments include:

- Coca-Cola regional company that operates in the Americas south of the U.S. (\$466 million),
- Walmart (\$837 million), the largest food retailer in the U.S. and a leading retailer of pharmaceutical drugs and alcoholic beverages,
- Walgreen-Boots Alliance (\$280 million), a large multinational pharmaceutical drug retailer, and
- two of the world’s largest TV companies (screen-time): Group Televisa (\$433 million) and Liberty Global PLC (\$221 million).

In addition, approximately one-quarter of the Gates Foundation Trust assets are invested in [Berkshire Hathaway Inc.](#), a holding company that owns a US\$17 billion share in the U.S.-based Coca-Cola company and US\$29 billion interest in Kraft Heinz Inc., another of the world’s ten largest food companies. These investments make the Gates Foundation a beneficiary of sales of several categories of products that are the subject of WHO standards and advice to governments related to nutrition and physical activity.

It is concerning that these conflicts of interest are not acknowledged in the WHO budget’s [financial contributor database](#) (which notes only that the Gates Foundation contributed \$629 million to the WHO’s \$4.5 billion two-year budget), or in the [WHO’s Register of non-State Actors](#) (which notes only that the: foundation has “engagements with select members of the pharmaceutical...[and] food and beverage industries.”).

Underfunding of the WHO by Member States undermines its capacity to perform its vital global public health work, which is especially important to low and middle income countries with limited local health policy capacities. Making up WHO budget shortfalls with funding from major investors in food, drug, and alcohol companies (which are often headquartered in wealthy countries) further compromises the independence of the WHO. Granting the Gates Foundation Official Relations status signifies a sharp departure from the post-WWII tradition of the World Health Assembly and makes a mockery of the conflict of interest safeguards purported to underpin the new “Framework of engagement with non-State actors (FENSA).”

We urge the Executive Board to defer the decision to accept the Gates Foundation and any other new and legacy applicants for Official Relations status for which there has been no conflict of interest safeguard review on the record for consideration by Member States of the Executive Board. It is, of course, deeply troubling from a governance standpoint that the Executive Board is being asked to approve applicants for Official Relations and verify compliance with conflicts of interest safeguards without being provided with any relevant evidence—verified or otherwise—on the public record.

Respectfully submitted by the undersigned public interest, health, and citizens’ groups,

 <p>Dr. Patrick Y. Kadama, Dir, Policy & Strategy African Centre for Global Health & Social Transformation (ACHEST) (Uganda)</p>	 <p>Bruce Lee Livingston, Executive Director/CEO Alcohol Justice (USA)</p>
 <p>Hacene Hamdani, President du reseau, Algerian Network of Small-Scale Fishing Organisation (Algeria)</p>	 <p>Patti Rundall, OBE, Policy Director Baby Milk Action (United Kingdom)</p>
 <p>Jörg Schaaber BUKO Pharma-Kampagne (Germany)</p>	 <p>Bill Jeffery, BA, LLB Centre for Health Science and Law (Canada)</p>

 <p>Sofia Monsalve Secretary General FIAN International (Global, Germany)</p>	 <p>Michael Thorn, Chief Executive Foundation for Alcohol Research and Education (FARE) (Australia)</p>
<p>[signature forthcoming] Nicoletta Dentico, Co-director Health Innovation in Practice (HIP), (Global, Switzerland)</p>	 <p>Dr. Katherine Irene Pettus, PhD, OSB International Assn. for Hospice and Palliative Care (Global, USA)</p>
 <p>Dr Arun Gupta, Central Coord. BPNI, Reg'l Coord International Baby Food Action Network (IBFAN-Asia)</p>	<p>[signature forthcoming] Marina Rea International Baby Food Action Network (IBFAN) (Brasil)</p>
<p>CEFEMINA - IBFAN LAC COSTA RICA MARTA TREJOS Director</p> 	<p>[signature forthcoming] Annelize van Elk, Director International Code Documentation Centre (Global, The Netherlands)</p>
 <p>Judith Hitchman, President International Community Supported Agriculture Network (URGENCI) (France)</p>	 <p>Mr Anaru Fraser, LLB International Field Representative International Indian Treaty Council (Oceania Region)</p>
 <p>Elisabeth Sterken, MSc, Dt., Director INFACCT Canada and Infant Baby Food Action Network IBFAN (Global, Canada)</p>	 <p>Dr. Mira Shiva, Coordinator Initiative for Health & Equity in Society (India)</p>

 Kristina Sperkova, Int'l President IOGT International (Sweden)	[signature forthcoming] Thomas Gebauer, Executive Director Medico International (Germany)
 Thomas Schwarz, Executive Secretary Medicus Mundi Int'l Network Health for All (Global, Switzerland)	 Ms. Lizzy Igbine, National President Nigerian Women Agro Allied Farmers Assn. (Nigeria)
[signature forthcoming] Claudio Schuftan People's Health Movement (Global)	[signature forthcoming] Alejandro Calvillo, Executive Director El Poder del Consumidor (Mexico)
 Radha Holla Bhar Public Health Resource Network (India)	 Gopa Kumar Third World Network (India)
[signature in original] Fiona Dove, Director Transnational Institute (TNI) (The Netherlands)	 Simon Capewell, MD, DSc c/o University of Liverpool, Dept. of Public Health & Policy, Inst. of Psychology, Health & Society (United Kingdom)
 Mariska Meurs Wemos (The Netherlands)	[signature forthcoming] Margaret Miller APD, AN, Professional Affairs Secretary World Public Health Nutrition Association (Global, United Kingdom)



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Form SC 13D/A - General statement of acquisition of beneficial ownership[Amend]

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3	EX-99.2	a17-2484_1ex99d2.htm	EX-99.2	159913
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BERKSHIRE HATHAWAY INC (Subject) CIK: 0001067983 (see all company filings)

Business Address 3555 FARNAM STREET OMAHA NE 68131 4023461400	Mailing Address 3555 FARNAM STREET OMAHA NE 68131
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IRS No.: 470813844 | State of Incorp.: DE | Fiscal Year End: 1231
Type: SC 13D/A | Act: 34 | File No.: 005-55113 | Film No.: 17531048
SIC: 6331 Fire, Marine & Casualty Insurance
Assistant Director 1

BILL & MELINDA GATES FOUNDATION TRUST (Filed by) CIK: 0001166559 (see all company filings)

Business Address 2365 CARILLON POINT KIRKLAND WA 98033 4258897900	Mailing Address 2365 CARILLON POINT KIRKLAND WA 98033
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IRS No.: 911663695 | State of Incorp.: WA | Fiscal Year End: 1231
Type: SC 13D/A

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UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 13F

FORM 13F INFORMATION TABLE

OMB APPROVAL

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COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5			COLUMN 6	COLUMN 7	COLUMN 8		
NAME OF ISSUER	TITLE OF CLASS	CUSIP	VALUE (x\$1000)	SHRS OR PRN	SH/ PUT/ INVESTMENT	DISCRETION	MANAGER	OTHER	SOLE	SHARED	NONE
ARCOS DORADOS HOLDINGS INC	SHS CLASS -A -	G0457F107	16,129	3,060,500	SH	SOLE			3,060,500	0	0
AUTONATION INC	COM	05329W102	92,487	1,898,717	SH	SOLE			1,898,717	0	0
BERKSHIRE HATHAWAY INC DEL	CL B NEW	084670702	10,741,340	74,349,971	SH	SOLE			74,349,971	0	0
CANADIAN NATL RY CO	COM	136375102	1,120,098	17,126,874	SH	SOLE			17,126,874	0	0
CATERPILLAR INC DEL	COM	149123101	999,626	11,260,857	SH	SOLE			11,260,857	0	0
COCA COLA FEMSA S A B DE C V	SPON ADR REP L	191241108	466,104	6,214,719	SH	SOLE			6,214,719	0	0
CROWN CASTLE INTL CORP NEW	COM	22822V101	502,413	5,332,900	SH	SOLE			5,332,900	0	0
ECOLAB INC	COM	278865100	531,481	4,366,426	SH	SOLE			4,366,426	0	0
FEDEX CORP	COM	31428X106	528,407	3,024,999	SH	SOLE			3,024,999	0	0
GRUPO TELEvisa SA	SPON ADR REP ORD	40049J206	433,624	16,879,104	SH	SOLE			16,879,104	0	0
LIBERTY GLOBAL PLC	SHS CL A	G5480U104	72,445	2,119,515	SH	SOLE			2,119,515	0	0
LIBERTY GLOBAL PLC	SHS CL C	G5480U120	120,244	3,639,349	SH	SOLE			3,639,349	0	0
LIBERTY GLOBAL PLC	LILAC SHS CL A	G5480U138	10,220	370,424	SH	SOLE			370,424	0	0
LIBERTY GLOBAL PLC	LILAC SHS CL C	G5480U153	17,841	636,044	SH	SOLE			636,044	0	0
UNITED PARCEL SERVICE INC	CL B	911312106	494,890	4,525,329	SH	SOLE			4,525,329	0	0
WAL-MART STORES INC	COM	931142103	836,808	11,603,000	SH	SOLE			11,603,000	0	0
WALGREENS BOOTS ALLIANCE INC	COM	931427108	280,187	3,475,398	SH	SOLE			3,475,398	0	0
WASTE MGMT INC DEL	COM	94106L109	1,188,083	18,633,672	SH	SOLE			18,633,672	0	0