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The Road to UNGASS 2016 on the World Drug Problem

Meeting Note from a Roundtable Discussion

November 2014

In early 2016, the United Nations General Assembly will convene a [special session on the World Drug Problem \(UNGASS 2016\)](#). This special session offers a unique opportunity to evaluate and adjust drug control arrangements to ensure they reflect the original concern of the drug control conventions – the ‘health and welfare of mankind’ – despite the social, political and economic changes over the last half century. A [Joint Ministerial Statement](#) issued in March 2014 at the global drugs control policy-making body, the Commission on Narcotic Drugs (CND), ‘emphasize[d] the importance of a broad, transparent, inclusive, and scientific evidence-based discussion among Member States, with inputs from other relevant stakeholders, as appropriate, in multilateral settings’.¹ In the run up to UNGASS 2016, the Secretary-General, Ban Ki-moon, has called for a ‘wide-ranging and open debate that considers all options’.²

On 17 November 2014 the United Nations University (UNU), a thinktank created by the UN General Assembly, convened a roundtable discussion at UN Headquarters in New York to help raise awareness of this process, consider what steps are currently being taken, and what additional steps might be undertaken by the UN Membership, by CND, and by the UN Secretariat, Task Force, agencies, funds and programmes, to help all stakeholders prepare for UNGASS 2016. The roundtable was attended by over ninety representatives of Permanent Missions to the United Nations, officials from the UN Secretariat, agencies, funds and programmes, and representatives from civil society organizations. The following summary highlights key areas of discussion at the meeting. A video of the meeting is also available for viewing on [UNTV](#).

The roundtable identified five areas of concern regarding preparations for UNGASS 2016:

1. The current UNGASS 2016 draft agenda excludes key issues
2. Preparations for UNGASS 2016 need to keep pace with developments on the ground
3. There is a need to develop specific policy options for debate at UNGASS 2016, or it risks being seen as a ‘talkshop’
4. There is a need to develop specific mechanisms for engaging policy actors in New York in a meaningful way
5. The active participation of civil society during UNGASS 2016 will be crucial to its perceived success

¹ Commission on Narcotic Drugs, [Joint Ministerial Statement of the 2014 High-Level Review by the Commission on Narcotic Drugs of the Implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem](#), March 2014. 3.

² Remarks of the Secretary-General at the special event on the International Day against Drug Abuse and Illicit Trafficking, New York, 26 June 2013.

1. The current UNGASS 2016 draft agenda excludes key issues

The roundtable commenced with the reading of a written statement by the Chairperson of the Commission on Narcotic Drugs, Ambassador Khaled Abdel-Rahman Shamaa, which described the current preparations for UNGASS 2016. A statement by the United Nations Office on Drugs and Crime was also shared with the participants at the roundtable.

Several speakers highlighted the importance of UNGASS 2016 as a platform to go beyond business as usual in discussions of global drug policy at the United Nations. Assistant Secretary-General of the UN Development Programme and Assistant Administrator for Latin America and the Caribbean Jessica Faieta told participants that rather than engaging in limited reforms of existing policies, it is ‘crucial to undertake a paradigm shift’. While drugs are factored into development planning at the margins, they impact all areas of development work. The highest costs of drug policy are inflicted on the most vulnerable and marginalized. Ms. Faieta suggested that drug policies should expand beyond the isolated objectives of reducing supply and demand towards policies that ‘affirm sustainable human development processes that increase life choices for all, ensuring rights and freedoms.’

Senior Adviser at UNAIDS New York Office Ninan Varughese echoed the call that UNGASS should not have a narrow focus, stating that discussions on health at UNGASS should not only focus on reducing demand. He called for a thorough analysis of the scale and nature of the unintended consequences of world drug policies, as well as a thorough analysis of the state of the world drug problem. He singled out four specific health-related issues that UNAIDS believes need to be addressed at UNGASS: 1) addressing the policy and legislative environment and transforming punitive laws; 2) expanding evidence-informed services; 3) expanding domestic funding for harm reduction policies; and 4) reducing the institutionalized stigma and discrimination attached to drug users. Ms. Faieta also drew attention to the issue of stigmatization, stating that the perception that involvement in drug markets is a personal choice, rather than indicative of socioeconomic conditions, leads to repressive policies. Mr. Varughese stated that UNAIDS believes an ‘improvement in public health’ should be a stated target in any political declaration emerging from UNGASS, rather than subsuming health under demand reduction.

Head of United Nations University’s UN Office James Cockayne stated that the current roadmap for preparations for UNGASS 2016 runs the risk of creating a session that is not ‘special’, but instead reproduces the existing politics within CND. The danger, he suggested, is that this will come to be seen by the media and the global public as disconnected from current realities on the ground, and as avoiding a ‘wide-ranging debate’ in favor of the status quo. This risks damaging UN credibility. He cited three key areas which are currently excluded from the draft agenda for UNGASS 2016, yet weigh heavily on current international drug policy debates: ‘unintended consequences,’ such as violence and corruption, which impact security, stability, democracy and development; non-judicial handling of minor drug offences; and the permissibility and practicalities of regulating the supply of certain scheduled substances, notably cannabis.

2. Preparations for UNGASS 2016 need to keep pace with developments on the ground

During the discussion, several participants called for an enlarged debate within the UN system in preparation for UNGASS 2016, with links to ongoing public debates around the world. The Permanent Representative of Guatemala cited the need to enlarge the number of issues being debated in order to broaden the debate.

Alison Holcomb, of the American Civil Liberties Union, highlighted that some drug policy at the local and municipal levels is moving much faster than at the national and international levels. She noted that progress towards reform in the United States started with the citizens, via referenda, followed by changes in the Obama administration's approach to these regulatory reforms. Ms Holcomb argued that the Obama administration's shifting approach to drug policy has helped to open the door to reform beyond the prohibition model at the international level, and questioned whether UNGASS will be used to 'explore the boundaries of political flexibility'.

3. There is a need to develop specific policy options for debate at UNGASS 2016, or it risks being seen as a 'talkshop'

Mr. Cockayne noted that while CND hopes to settle the agenda for the 2016 meeting in the coming months, it remains unclear how specific policy options for action at UNGASS 2016 will be generated and fed into the UNGASS 2016 preparations and discussions in the four 'workshops' proposed. Nor is it clear how the UNGASS 2016 plenary sessions will take any action. At present it risks becoming a 'talkshop'. UN University Rector David Malone suggested that if UNGASS 2016 does not consider policy options that are applicable at the ground level, it may compromise the image and reputation of the UN.

Several participants raised the connection between drugs and violence and queried how specific policy responses will emerge through the UNGASS 2016 process. Permanent Representative of Colombia to the United Nations and Ambassador María Emma Mejía Vélez, noted that several states want to focus on terrorism, gangs, and trafficking, and, therefore, a central question for CND and Member States is how to find common ground to include and discuss these issues in the Special Session. Ms. Holcomb reflected upon recent remarks by United States Assistant Secretary of State William Brownfield calling on states to continue combatting violent organized criminal groups, while also allowing for a flexible interpretation of the conventions, in light of world developments. Ms. Faieta noted UNDP's work on citizen security as an example of how to address violence from a 'more comprehensive, preventive and humane framework.'

On health, Mr. Varughese noted that, while evidence shows harm reduction is a practical, cost-effective way to counter the spread of AIDS in drug users, a significant number of countries have not implemented these strategies. Mr. Varughese indicated that UNAIDS believes the UNGASS 2016 process is an opportunity to include the lessons learned in the AIDS response as a way to ensure these considerations are accounted for at UNGASS. There is a growing understanding that health must be elevated beyond a subset of demand reduction, and that UNGASS is an opportunity to do this. But specific policy proposals for action at UNGASS 2016 are needed.

4. There is a need to develop specific mechanisms for engaging policy actors in New York in a meaningful way

The written contribution from CND Chairperson Ambassador Khaled Abdel-Rahman Shamaa stated that 'promoting a truly inclusive preparatory process...has been the guiding principle which the Commission has been pursuing in conducting preparations for UNGASS.' Towards this goal, CND's 57th Session invited the President of the General Assembly to 'support, guide and stay involved in' the preparatory process.³ Ambassador Shamaa's statement noted that

³ CND Report on the fifty-seventh session UN Doc. E/CN.7/2014/16, March 2014, see https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_57/Report/E2014_28_eV1402549.pdf

discussion is under way with the President of the General Assembly about how this support and guidance might be structured. Several speakers called for a substantive process.

Ambassador Mejía Vélez called for UN entities and Member States in New York to prepare for UNGASS 2016 with the same intensity as Vienna-based agencies. She questioned the ‘duality’ of Vienna and New York, stating that both had been given mandates by the CND and Member States to carry out the preparatory work, and each should compliment the work of the other. Ambassador Mejía Vélez suggested holding a high-level dialogue in late spring of 2015 in New York to engage Member States in New York in the process. One high-level participant suggested that it is necessary to debate drug policy in both New York and Vienna on a yearly basis, where Vienna could address the intergovernmental dimension and New York could take a broader approach.

UNAIDS also indicated that it is holding a session on drugs during its Programme Coordinating Board meeting in December, and has suggested hosting a side-event, along with its co-sponsor partners, at CND’s 2015 high-level segment to share the impact of drug policy on its mandate. It was also suggested that the UN System Task Force needs a broader agenda coupled with an incremental approach. In hopes of generating UN system-wide coherence on drug policy, Ms. Faieta of UNDP offered UNDP’s expertise, where appropriate, to help facilitate multi-disciplinary and multi-stakeholder debates in New York and beyond, and provide objective, evidence-informed and strategic information and relevant policy and programming support in the field. And UN University also signaled its willingness and availability to help foster evidence-based policy discussion in the run up to UNGASS 2016.

5. The active participation of civil society during UNGASS 2016 will be crucial to its perceived success

Several government, UN and civil society speakers emphasized the importance of active and robust civil society participation in the preparation for UNGASS 2016, and at the event itself. Participants heard from the Acting Chairperson of the Vienna NGO Committee on Narcotic Drugs Esbjörn Hörnberg and from Heather Haase, Chair of the New York NGO Committee on Drugs, who outlined their groups’ involvement in the process and the pending creation of a joint civil society task force to help UNGASS preparations. Ambassador Mejía highlighted Colombia’s achievements in the area of drug policy reforms relied on active support from and involvement of civil society, including improved access to health and rehabilitation. She recognized the importance of involving these actors in the deliberations ahead of UNGASS 2016. Mr. Cockayne noted that some civil society circles are in the early stages of discussing possible policy options ahead of UNGASS. When asked whether UNGASS might consider external policy papers such as the Global Commission’s recent report, Dr. Malone noted that ignoring outside policy papers would have a negative effect on UNGASS 2016.