

UNGASS NEWS

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Welcome to the 6th edition of the IDPC 'UNGASS NEWS' update. This brief update is intended to provide an overview of progress on the UNGASS review process, drawing attention to significant developments and keeping our network of colleagues around the world abreast of the rapidly changing situation.

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PRACTICAL ARRANGEMENTS

As described in earlier versions of UNGASS News, the 2009 Commission on Narcotic Drugs will take place in Vienna from 11th to 20th March, with a High Level Segment covering the first two days.

This High Level Segment represents the culmination of a two year process of review of the objectives and action plans agreed at a General Assembly Special Session in 1998, and aims to issue a Political Declaration that sets out a framework for international co-operation for the next phase of the global drug control system. The practical arrangements for the session have been uncertain up until the last moment, but we can report the following details:

- The High Level Segment official meetings will take place in the new conference building at the Vienna International Centre (VIC) – known as the ‘M’ building. As there is limited space in this building, most satellite events will be held in the old conference centre – ‘C’ building – or in the restaurant area of the VIC.
- The regular CND meetings, taking place from 16th to 20th March, will be held in the normal rooms in the ‘C’ building.
- The High Level Segment will commence with an opening session at 9.00am on Wednesday the 11th, and will close at 5.00pm on Thursday 12th.
- There will be two parallel sessions at the High Level Segment. The plenary will be a succession of ministerial statements from individual countries, each country having a 5-minute slot. Civil Society delegates with ECOSOC passes are allowed to attend the plenary, but do not have allocated seats, or guaranteed access to the simultaneous translation equipment. The only Civil Society presentation to the plenary will be a 5-minute presentation of the conclusions from the ‘Beyond 2008’ NGO initiative. Running in parallel with the plenary, there will also be four ‘panel sessions’ that will discuss particular aspects of the global drug policy challenge. There are only two seats in each of these sessions allocated to NGOs, and these are currently being allocated by the Vienna NGO Committee amongst those NGOs most closely involved with the Beyond 2008 initiative.
- There will be a wide range of meetings, events and demonstrations in the margins of the formal meetings. The series of satellite meetings that IDPC and our partners have been organising are listed in a separate paper that can be downloaded from our website (www.idpc.info) – these include a round of regional orientation and briefing meetings on the afternoon of Tuesday 10th March; two lunchtime panel sessions (11th and 12th March) on the issue of the consequences of drug markets and of attempts to eradicate them; and a breakfast briefing session (12th March) on the lack of a public health dimension to drug policy.
- Any NGO representative wishing to get access to the VIC during the CND or the High Level Segment will need either to have themselves attached to their own government delegation, or be issued with what is known as an ECOSOC pass. These are only available through NGOs who are already registered with the United Nations – a full list of these can be obtained by emailing Judith Hoffmann on jh@internationaldrugpolicy.net

CIVIL SOCIETY INVOLVEMENT

At the time of writing, it seems that the arrangements for a constructive and vibrant involvement of Civil Society in the CND and High Level Segment are disappointing. The Chair of the Vienna NGO Committee, David Turner, wrote to the Chair of the CND, Selma Ashipala, in late 2008 with a list of formal requests that would support Civil Society involvement in the event. This letter has not even been given the respect of an official response, but we can ascertain the current situation from informal feedback. The requests included:

- That a Civil Society Hearing was scheduled on one of the mornings of the High Level Segment, to enable NGO representatives to present their perspectives to the government delegations. No such provision has been made, so all civil society input must now be through satellite events.

- That at least 3 civil society representatives be given an opportunity to speak in the plenary of the High Level Segment. This request has been denied – only the Chair of ‘Beyond 2008’ and the Queen of Sweden will be allowed to address the plenary on behalf of civil society.
- That space be made available for NGOs to hold a ‘marketplace’ exhibition of projects and initiatives. No response has been given on this request, but it seems now too late for anything meaningful to be organised.
- That the maximum number of seats be made available in the panel sessions for NGO experts on the subjects being debated. While it is understood that space at these panels has been a problem, the allocation of only two seats to NGOs is derisory.
- That adequate ‘NGO lounge’ facilities be made available in the conference building, where civil society delegates can meet, and get access to office facilities such as PC terminals and print and photocopy facilities. There is currently no response on whether any such facilities will be available.

THE POLITICAL DECLARATION AND ANNEX

We articulated our fear in the previous UNGASS News that the Political Declaration and Annex, that have been under negotiation for 5 months now, would end up being a jumble of ‘lowest common denominator’ text, with no clear analysis of the learning of the last 10 years, or the challenges and commitments going forward. Unfortunately, although there is still another week of negotiations to go, it looks like this will be the case. The current draft text has been the subject of intense negotiation in recent weeks, with strong interventions from basically three positions – those countries who wish to defend and strengthen the existing law enforcement and zero tolerance approaches; those countries who wish to move the focus more to health and human rights based approaches; and those countries whose representatives in Vienna are mainly interested in protecting their own national interests, or procedural integrity. Looking at the list of key issues we included in the previous version of UNGASS News, it looks like most will end up with weak or meaningless text:

- In terms of assessing progress over the last 10 years, the current draft simply states that the drug problem ‘has continued to pose a serious threat to the health, safety and well-being of all humanity’, and that ‘some progress has been made, through positive achievements, at international, regional and local levels in implementing the political declaration adopted at the Twentieth Special Session of the UNGASS on world drug problem, and considerable challenges remain and new challenges have surfaced, however, to sustainably reduce, or at least effectively contain, production, trafficking and consumption of illicit drugs globally’. This is hardly a clear and helpful analysis of which actions have worked in reducing the drug problem, and which haven’t. The problem is compounded by the statement that member states agree to ‘actively promote a society free of drug abuse’, which is a phrase horribly reminiscent of the 1998 slogan – ‘A drug free world, we can do it?’ We are left wondering if the CND has learnt anything at all from the last 10 years – and will commit itself to actively promote something that they all agree is impossible to achieve.
- The references to the need to promote compliance with the Human Rights obligations of member states are much stronger – the preamble of the draft contains an unequivocal paragraph on the primacy of the obligations in the UN Charter and Declaration of Fundamental Rights and Freedoms. This is welcome, but one wonders if it would be there if the issue hadn’t been raised strongly by NGOs at the 2008 CND.
- The references to the importance of HIV/AIDS prevention are still under dispute, as the whole issue of harm reduction is still deadlocked. Any paragraphs in the declaration or annex that relate to this issue are still unresolved, and will need to be finalised in the coming week. It is shocking that, despite its clear acceptance by all other UN bodies and agencies, and letters to the CND delegates from the heads of UNAIDS and the Global Fund, and also from two UN Human Rights rapporteurs, it seems that the CND will not be able to agree to a clear statement on the importance of HIV prevention amongst drug users, and that harm reduction approaches are the most effective response.

- Encouragingly, the draft contains a broader set of objectives for the next phase of international drug control. However, these objectives still suffer from some of the weaknesses of 10 years ago – they still refer to ‘eliminating or significantly reducing’ both cultivation, supply and demand, when ‘minimizing’ would be a more realistic goal; they also fail to clearly define an objective for reducing the health and social consequences of drug markets and use (the current reference is included as a by-product of demand reduction); and they do not include an objective to ensure the greater availability of controlled drugs for medical use.
- On this last point, the draft text again is disappointingly weak. Member states have received ample evidence from the INCB, WHO and NGOs that the under provision of medicines for pain relief and addiction treatment is a global scandal, but all that is said on this issue in the political declaration is a reaffirmation of the role of INCB in this regard, and a call for member states to work with them to improve availability, while preventing diversion.
- There is only the slightest reference to the need for greater balance of policy and investment at national and international level between supply and demand reduction, and absolutely no recognition of the need for more focus on the consequences of drug markets and use. The whole tone seems to be one of unquestioning adherence to the existing structures and activities.
- There is a reasonably decent paragraph on the need to involve civil society and ‘affected populations’ in the development of drug policy, but no specific mention of the Beyond 2008 initiative or its conclusions, and certainly no evidence from the work of the CND or the secretariat during this process that either of them takes these words seriously.

MINISTERIAL SPEECHES AT THE HIGH LEVEL SEGMENT

Once the negotiations on the political declaration are completed, the main opportunity for a member state to have an impact at the High Level Segment is through their presentation to the plenary. Each government has 5 minutes to present to the plenary and, as their statement does not have to be negotiated or agreed with other member states, they can use this 5 minutes to articulate more clearly their own government view on drug policy and the international system. Of course, many governments will use this presentation to simply list their own domestic achievements in responding to drug markets, or will prepare some bland statement of international co-operation, but these presentations can also be used to articulate real assessments of current dilemmas, and support for humane and effective policies and programmes. These speeches will be in the process of drafting now, and all member states will be deciding who to send to the High Level Segment. This is therefore the time for those with good contacts with their national government delegation to encourage them to include progressive language in their plenary speech – for example, acknowledging the limited progress in supply or demand reduction in the last 10 years, emphasising the need for harm reduction, or calling for more work on essential medicines.