

Lessons learned from NGO participation in government delegations at the UNGASS

Introduction

The United Nations General Assembly Special Session (UNGASS) on drugs¹, held in April 2016, was a key opportunity for NGOs to build strong and constructive relationships with their government, and offer their expert advice on the way forward for drug policies. At the UNGASS itself, 45 member states explicitly supported the role of civil society in the design, implementation, review and/or evaluation of drug policies and programmes.² The preamble of the UNGASS outcome document itself states:

‘We recognize that civil society, as well as the scientific community and academia, plays an important role in addressing and countering the world drug problem, and note that affected populations and representatives of civil society entities, where appropriate, should be enabled to play a participatory role in the formulation, implementation, and the providing of relevant scientific evidence in support of, as appropriate, the evaluation of drug control policies and programmes...’³

However, it is important that such commitments are translated into practice, rather than just rhetoric. In April 2016, a small number of UN member states – namely Bolivia, Costa Rica, Ghana, Japan, Mexico, New Zealand, Norway, Sweden, Switzerland and Ukraine – included for civil society representatives in their official UNGASS delegation. Furthermore, at least three additional government delegations (Argentina, France and the UK) included civil society representatives on their delegations at the High-Level Meeting (HLM) on HIV/AIDS which took place two months later, in June 2016.⁴

In this advocacy note, IDPC draws lessons from a series of interviews with the civil society representatives who participated in government delegations at the UNGASS and the HLM for the countries listed above. Based on these interviews, we provide some guidance and recommendations to further strengthen meaningful NGO participation in global drug control debates.



The importance of including NGOs in government delegations

An added value for NGOs

NGOs faced major challenges when participating in both the UNGASS on drugs and the HLM on HIV. Indeed, there is continued push back from several governments that remain firmly opposed to the engagement of civil society and affected communities in debates related to drugs and HIV; and 22 associations representing key affected populations were excluded from attending the HLM on HIV at the request of Russia, Egypt, Cameroon, Sudan and Tanzania. In addition, NGOs were confronted with a number of logistical barriers that prevented them from entering the UN building during the UNGASS and the HLM, attending some of the sessions and side events, disseminating documentation, etc.⁵ By holding a government badge, representatives **had improved access to official UN meetings**, thereby increasing transparency and inclusivity.

‘My participation did contribute to the [government] presentations and as a channel of communication to NGO colleagues’

‘It had a very important added value, as we were the only ones to know what is the reality in the field’

‘After the UNGASS, [the government] visited our programmes as they said they wanted to enhance their understanding of our activities’

‘Being part of the delegation strengthened personal relationships, enabled NGOs and the delegation to spend more time together, helping one another on some of the interventions’

‘Our participation in the official delegation has been beneficial (direct access to information, enhanced capacity to influence the delegation and a stronger relationship with civil society)’

Abstracts from interviews conducted among NGOs who participated in government delegations

Beyond logistical issues, an analysis of NGO perceptions of their participation in government delegations emphasized various positive

elements. Among them was the creation of a strong and productive **channel of communication between governments and NGOs**, with opportunities for civil society representatives to propose reform-oriented language (for example on harm reduction, decriminalisation, human rights and the death penalty) to feed into the positions of their governments. Being part of the delegation also enabled them to **meet with high-level government officials** to discuss national and international drug policy. Finally, these communication channels ensured that NGOs were **kept informed of the opaque debates** happening around the UNGASS and the HLM, enabling them to be better prepared to feed into the process. The process also led to **better NGO collaboration** in several countries, with the holding of regular NGO coordination meetings to share key information on the UNGASS, strategize together and adopt joint position statements prior to meetings with the government.

An added value for governments

The inclusion of civil society in government delegations had significant benefits for government representatives as well. Firstly, regular meetings throughout the UNGASS and HLM enabled governments to gain a **better understanding of NGOs’ activities and positions on drug policy**. This, in turn, demonstrated the added value that NGOs could bring to the debate and improved the relationship between governments and NGOs. In various countries, this has translated into strong collaborative processes – rather than just ad hoc meetings – with some NGOs now being considered as critical experts and consulted regularly by their governments on global drug control issues.

Secondly, NGO participation in UNGASS delegations ensured that the experience and expertise of civil society representatives could **feed into the positions of the delegation**, with NGOs providing language and suggestions during the negotiations of the Outcome Document and at the UNGASS itself to enrich government positions. This was also a useful way for the government to **take stock of the realities of the situation on the ground** and the specific needs of their society.

Thirdly, some NGOs provided **technical support** to their government delegation. Ahead of the UNGASS, several NGOs worked in close partnership with their governments to convene dialogues and seminars (both national and multilateral in nature) to **strategize ahead of the UNGASS**. During the UNGASS, NGO representatives **attended some of the meetings and roundtables** (as observers) on behalf of the government and reported back on key discussions – this support was deemed particularly helpful for small delegations. Now that the UNGASS is over, this partnership has continued in some countries with governments and NGOs working together to hold events aimed at identifying ways of **translating the recommendations of the UNGASS Outcome Document** into concrete domestic policy.

Finally, throughout the UNGASS process, NGOs were able to raise awareness of the importance of the discussions by **sensitizing peers and public opinion** by reaching out to the media. In Mexico, the **pressure** exerted by national NGOs convinced President Peña Nieto to attend, a few days after he had announced that he would not be participating. As one of the three instigators of this UNGASS (alongside the Presidents of Colombia and Guatemala), the Mexican President's participation greatly reinforced the credibility and visibility of the country at the Special Session.

Processes for NGO inclusion in official delegations

The process for NGO inclusion in official delegations varied widely from country to country. In some cases, NGO inclusion resulted from numerous meetings with the government to explain the added value of engaging civil society. At times, convincing the government was particularly difficult and required reaching out to high-level officials in government to get authorisation to participate. This was generally the case for countries which had never truly engaged with NGOs in UN events prior to the UNGASS. In these cases, the UNGASS was seen as an unprecedented opportunity for NGOs to be taken more seriously by their government, as well as providing expertise.

'It was very difficult to get included in the official UNGASS delegation. It took a lot of explaining around why it was important for our NGO to be included, and reassure the government that we were not "legalisers"'

'[We have] a long history of collaboration with the State. Therefore, we have requested to participate to UNGASS (via an official letter), as we did for other meetings'

'The Ministry of Foreign Affairs has a General Director in charge of liaising with civil society. This position is permanent and is in charge of dealing with all civil society, not only with those specialised in the drugs issue... The Vice-Minister of Foreign Affairs himself launched an open invitation for CSOs to apply for a delegate spot'

'[Our government] is a big proponent of NGO participation in drug policy debates, it imposes itself an obligation to include CSOs – and this happens every year'

Abstracts from interviews conducted among NGOs who participated in government delegations

The process was much less complex in contexts where NGOs had been historically involved in policy making processes, where they already had a long-term collaborative relationship, and/or where they had already been involved in official government delegations at previous Commissions on Narcotic Drugs (CND) and other UN events. In some cases, for example in Switzerland and New Zealand, NGOs requested participation in an official letter to their government or during a meeting with a high-level official. In others, such as in Mexico, the UK or Sweden, a call for expressions of interest was launched by the government to NGOs from across the country.

Sweden was the only country that paid for the participation of its NGO representatives at the UNGASS and HLM. NGOs from New Zealand and Norway, which receive government funding for their day-to-day work, saw their travel costs indirectly covered by the government. Meanwhile, others paid for their own costs.

Rules and modalities of participation

Here again, the rules and modalities of participation differed from country to country. For some, a well-defined written set of rules was shared with the NGO representative(s), sometimes accompanied by a signed agreement. For others (usually those with a long-standing relationship with their government), no specific rules were shared, as the representatives were expected to know how to behave as part of the delegation. The two key rules (tacit or written) for civil society included:

- 1. Not speaking on behalf of the delegation,** unless explicitly agreed upon in advance
- 2. Not sharing any confidential information** unless when allowed by the delegation. Collaboration and meetings ahead of the UNGASS and HLM generally helped to create a relationship of trust between the government and NGO representatives.

One NGO representative attended the UNGASS on behalf of their own NGO, with the government badge only used to enter key meetings and to avoid logistical issues. At the other end of the spectrum, another NGO representative explained that he was expected to act as a full member of the delegation, thereby holding the same line as the government at all times, and getting prior approval when speaking at the UNGASS. For most other NGO representatives, modalities for participation lay somewhere in between – they had to respect their government positions during formal meetings and events, while still being able to share their own views in informal gatherings. Most NGO representatives were invited to attend some preparatory meetings and other events (e.g. receptions and informal gatherings) with their delegations, but were not allowed to attend bilateral meetings between government delegations. Some could attend the behind-closed-doors negotiations of the UNGASS Outcome Document and of the HLM Declaration, while others could not do so – but most NGOs fed into the negotiations process informally by providing suggested language to their delegation ahead of the meetings.

‘I was not allowed to give any information I got from my delegation. And I was obliged to act as a member of delegation, which means I was obliged to have the same opinion as the government in public during the UNGASS’

‘A set of guidelines was sent to us which included the fact that we couldn’t speak on behalf of the delegation, etc. We had to sign a letter stating explicitly that we would follow these rules’

‘Due to our collaboration on others issues, the State knows we are a reliable partner. No rules have been set, beside the general rules that apply to the whole delegation’

‘We didn’t really have rules, only “common sense” recommendations (not to speak on behalf of the delegation, confidentiality, etc.) ... Collaboration ahead of the negotiations enabled us to create a relationship of trust where we could exchange sensitive information without leaking them’

Abstracts from interviews conducted among NGOs who participated in government delegations

Conclusions and recommendations

The added value that NGOs can bring to the drug policy debate no longer needs to be proven. They have a wide array of experience and expertise in the design and implementation of policies, their monitoring and evaluation, and shedding light on the needs of affected groups. A wide range of options are now available for governments to include NGO representatives in their delegations, including via:

- formal or informal rules of procedures, especially on when and how to speak on behalf of the delegation
- access to specific meetings
- confidentiality agreements on sensitive information
- financial support, etc.

If UN member states are serious about ensuring meaningful engagement in global drug policy debates, then including an NGO in their delegation constitutes a statement of principle, as well as

a first step towards improved transparency and openness in UN proceedings. To improve accessibility and engagement, NGOs themselves should be discussing and requesting inclusion on their government delegations for future UN meetings on drugs, such as future HLMs and UNGASSes, the annual CND meetings in Vienna, but also any additional meeting held around drug policy issues in New York and Geneva. We hope that this report can assist in this process.

Acknowledgements

This advocacy note was drafted by Marie Nougier, IDPC Senior Research and Communications Officer. IDPC wishes to thank the following people for their valuable participation in the interviews that formed the basis of this note: **Ernesto Cortes** (Asociación Costarricense para el Estudio e Intervención en Drogas, Costa Rica), **Jean-Felix Savary** (Groupement Romand d'Etudes des Addictions, Switzerland), **Kathryn Ledebur** (Andean Information Network, Bolivia), **Linda Nilsson** (World

Federation Against Drugs, Sweden), **Lisa Sanchez** (México Unido Contra la Delincuencia, Mexico), **Maria Phelan** (Harm Reduction International, United Kingdom), **Nicolas Denis** (AIDES, France), **Ross Bell** (New Zealand Drugs Foundation, New Zealand), **Stig-Erik Sørheim** (Norwegian Policy Network on Alcohol and Drugs, Norway) and **Zara Snapp** (Global Commission on Drug Policy, Mexico).

Endnotes

1. http://www.unodc.org/ungass2016/?lf_id=
2. This includes the 28 member states of the European Union (as well as additional statements by Slovakia, Poland, Finland, Greece, Denmark, Croatia, Spain and the Czech Republic), Algeria, Australia, Brazil, Cameroon, Canada, Colombia, El Salvador, Georgia, Honduras, Indonesia, Jordan, Mexico, Monaco, Thailand, Trinidad and Tobago, Tunisia and Uruguay. See: www.cndblog.org
3. Also see paragraphs 1(q), 4(g), 7(b) and 7(l), <http://www.un.org/Docs/journal/asp/ws.asp?m=A/RES/S-30/1>
4. <http://www.unaids.org/en/aboutunaids/unitednationsdeclarationsandgoals/2016highlevelmeetingonaids>
5. For a full account, read: International Drug Policy Consortium (September 2016), The United Nations General Assembly Special Session (UNGASS) on the world drug problem: Report of proceedings, <http://idpc.net/publications/2016/09/the-ungass-on-the-world-drug-problem-report-of-proceedings>

About this advocacy note

In this advocacy note, IDPC draws lessons from a series of interviews with the civil society representatives who participated in government delegations at the UNGASS and the HLM. Based on these interviews, we provide some guidance and recommendations to further strengthen meaningful NGO participation in global drug control debates.

International Drug Policy Consortium

Fifth Floor, 124-128 City Road
London EC1V 2NJ, United Kingdom

Tel: +44 (0)20 7324 2975

Email: contact@idpc.net

Website: www.idpc.net

About IDPC

The International Drug Policy Consortium is a global network of non-government organisations that specialise in issues related to illegal drug production and use. The Consortium aims to promote objective and open debate on the effectiveness, direction and content of drug policies at national and international level, and supports evidence-based policies that are effective in reducing drug-related harm. It produces briefing papers, disseminates the reports of its member organisations, and offers expert advice to policy makers and officials around the world.

© International Drug Policy Consortium Publication 2017

Report design by Mathew Birch - mathew@mathewbirch.com

Funded, in part, by:

