

Deputy Secretary-General's briefing by UN entities to UN Member States ahead of UNGASS 2016

20 November 2015, UN Headquarters, New York

Rector Malone, UN University

Hello/thank you

UNU's work in this area

- **As we've heard from the panelists, UN Agency engagement has been robust ahead of the UN General Assembly special session on the world drug problem in April 2016.**
- **For the last year, UN University has been running a project on UNGASS 2016 out of its New York office, engaging over 50 Member States, 16 UN entities and 55 civil society organizations, to 'Identify Common Ground.'**
- **This involved a series of meetings on topics such as drug policy and public health, development, and criminal justice.**
- **This culminated in a recent policy report, *What Comes After the War on Drugs?*, which analyzes the major political and policy trends leading into UNGASS 2016 and offers six recommendations Member States could consider for UNGASS 2016.**
 - **I believe there are copies of the report available in the room, or you can download it from our website.**

What the UNU report says

- *What Comes After the War on Drugs?* predicts that at UNGASS Member States will affirm the existing global drug control regime while making positive reference to the need to protect public health and human rights.
- For some states, UNGASS clearly reflects a sense that global drug policy needs rethinking. However, other states see it as an opportunity to build upon and strengthen the current approach to drug policy to adapt to new drugs and new realities.
- The report predicts that Member States will settle somewhere in the middle, by calling for “*flexibility*” in implementation of the global drug policy regime.
 - The US in particular has championed flexibility in response to moves by some US states to permit recreational use of cannabis -- something traditionally not permitted by the global drug control regime.
- But the report cautions that flexibility risks in time leading to policy fragmentation if it is not embedded within certain common principles.
- States in different regions will use the notion of flexibility to take drug control policy in very different directions.
 - Some will reinforce the orthodoxy, while other more skeptical states will experiment with liberalization.

- The problem with that, the report argues, is that it will lead to real costs.
 - It will be harder to control drug trafficking, or the spread of disease, if states aren't on the same page.
- The report argues that Member States should not see UNGASS as the end of the story, however, but as a milestone.
- UNGASS is an opportunity to start a policy conversation that delivers national-level flexibility – without sacrificing agreed global principles.
- The report calls this approach 'principled pluralism' and to achieve it, it offers six specific, operational recommendations for UNGASS 2016.

Recommendation 1 – Working Closely with Delegations in both Vienna and New York – Lessons of Sendai

- I greatly admire the efforts of Mr. Fedotov to reach out to delegations in New York, including, recently, those of the Caribbean countries not represented in Vienna. I'm sure multiple trips to New York are the last thing he needs personally.
- Extensive consultations at senior levels with delegations in New York are doubly advisable in light of experience at the Sendai conference earlier this year, when delegations from New York and Geneva often had trouble coming together with each other, and this in spite of excellent preparation by UNRISD (UN International Strategy for Risk Reduction). In the case of Sendai, emergency diplomacy by Japan was able to shepherd the process to a

successful resolution, but only after stressful times for all concerned.

- Inevitably, some perspectives will be different as between New York and Vienna-based delegations. Those in New York are doubtless influenced by other factors, but also by location, including their presence on a continent that has been greatly challenged by the problem of drug trafficking and consumption and which currently is experimenting to a degree with new approaches. Accidentally ignoring these perspectives would be unfortunate.
- Ideally, any such problems will be avoided in the run-up to and at UNGASS by stepped up two-way communication with each community. How this should be organized and carried forward is not for me to suggest. Mr. Fedotov is much better qualified than I am to develop a relevant strategy and has doubtless been thinking about this already.
- That issue – of how to bridge the different perspectives in New York, Vienna, Geneva, and other relevant UN centres including the field – is also central to thinking about what happens after UNGASS.
- The paper suggests one possible way to do this – an Open Working Group – based on the model that was so successful here recently for the Sustainable Development Process. But that is just *one* possible approach.

Other recommendations

- *What Comes After the War on Drugs?* also addresses five specific areas where common ground might be achieved at UNGASS 2016.

On Penal Policy

- States vary widely in their approaches to penal policy – some are experimenting with non-criminal penalties for drug offences, while others continue to implement a range of harsh penalties, including the death penalty.
- The report recommends that Member States use UNGASS 2016 to create a forum for sharing scientific evidence on the impacts of penal policy interventions.

On Access to Essential Medicines

- INCB and WHO have stated that *5.5 billion* people are without adequate access to medicines containing narcotic drugs.
- Member States could use UNGASS 2016 to establish an high-level, independent, expert commission to analyse global access to controlled medicines and report back on measures to improve it.

On Treatment of Drug Use Disorders

- While a range of non-binding UN agency guidelines for treatment exist, there is a need for a coherent, system-wide, science-based approach.

- The report recommends that Member States request the Secretary-General develop this coherent, UN-system-wide guidance on drug treatment programming, for application across UN programming contexts.

On Development

- With the adoption of the 2030 Agenda for Sustainable Development, stronger coherence is needed between the drug policy and development agendas.
- To create stronger policy alignment, Member States could initiate a formal workstream to develop new metrics measuring the human development impacts of drug control policies.

On Human Rights

- Building upon OHCHR's report on the impacts of drug policy on human rights, UNGASS 2016 should be used to encourage system-wide coherence within the UN.
- Member States should use UNGASS 2016 to request the Secretary-General develop UN-wide guidance on the protection of human rights in drug programming.

CONCLUSION

- UNGASS 2016 is an opportunity to establish an inclusive conversation that can deliver, perhaps in 2019, national-level flexibility – without sacrificing agreed global principles.