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Agenda item 9

Implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem: follow-up to the high-level review by the Commission on Narcotic Drugs, in view of the special session of the General Assembly on the world drug problem to be held in 2016

Special segment: preparations for, the possible outcomes of and organizational matters relating to the special session of the General Assembly on the world drug problem to be held in 2016

Report of the Secretariat

Summary

The present report has been prepared pursuant to paragraph 8 of Commission on Narcotic Drugs resolution 57/5, entitled “Special session of the General Assembly on the world drug problem to be held in 2016”, whereby the Commission requested the Secretariat to prepare a report for consideration by the Commission before or at its reconvened fifty-seventh session, containing recommendations on the preparations for, the possible outcomes of and organizational matters relating to that special session. This report is aimed at facilitating the implementation by the Commission of paragraph 6 of that resolution, whereby the Commission decided to present proposals, for consideration by the Assembly regarding all organizational matters, including the agenda, dates, substantive issues to be covered, outcomes and other issues relevant to the successful preparations for the special session.



I. Introduction and methodology

1. The present report has been prepared pursuant to paragraph 8 of Commission on Narcotic Drugs resolution 57/5, entitled “Special session of the General Assembly on the world drug problem to be held in 2016”, whereby the Commission requested the Secretariat to prepare a report for consideration by the Commission before or at its reconvened fifty-seventh session, containing recommendations on the preparations for, the possible outcomes of, and organizational matters relating to the special session.

2. This report is aimed at facilitating the implementation by the Commission of paragraph 6 of that resolution, whereby the Commission decided to present proposals, for consideration by the Assembly regarding all organizational matters, including the agenda, dates, substantive issues to be covered, outcomes and other issues relevant to the successful preparations for the special session.

3. The recommendations contained in the present report draw on views expressed by Member States during the intersessional period, while also reflecting ideas contained in contributions received from organs, entities and specialized agencies of the United Nations system, other intergovernmental organizations and civil society.

4. The recommendations follow the format proposed by the Chair of the Commission at its fifty-seventh session in his non-paper submitted during the intersessional meeting of 4 September 2014, which was subsequently revised following the intersessional meeting of 23 October 2014 and will be presented for the Commission’s consideration in a conference room paper on proposals regarding the special session of the General Assembly.¹

5. Pursuant to its resolution 57/5, the Commission has initiated an intensive consultation process with all stakeholders (Member States, United Nations entities, international and regional organizations, and civil society) to ensure an adequate, inclusive and effective preparatory process. As an initial step, in order to facilitate that broader consultation process, the Commission established a website (www.ungass2016.org) to enable global dialogue in an inclusive and transparent manner and to function as a hub of knowledge, evidence and research on various aspects of the world drug problem. The website serves as a resource for Member States as they prepare for the special session. All relevant United Nations entities, international and regional organizations and non-governmental organizations have been invited to send written contributions to the Secretariat. Inputs received are being posted on that website, along with the agendas, presentations made and background material distributed during the intersessional meetings and other events relevant to the preparatory process. In addition, a series of informal consultations were held by the Chair with States members of the regional groups, senior representatives of the United Nations Secretariat and representatives of various United Nations entities and specialized agencies, as well as with representatives of non-governmental organizations.

¹ E/CN.7/2014/CRP.15.

II. Substantive and organizational issues related to the special session of the General Assembly on the world drug problem to be held in 2016

A. Background

6. The recommendations contained in the present report reflect the substantive scope defined in paragraphs 44 and 45 of General Assembly resolution 67/193, whereby the Assembly decided to convene, in early 2016, a special session on the world drug problem, to review progress in the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,² including an assessment of the achievements and challenges in countering the world drug problem, within the framework of the three international drug control conventions and other relevant United Nations instruments. Already at the time of the adoption of the Political Declaration and Plan of Action, in 2009 (General Assembly resolution 64/182), Member States had recommended the holding of a special session by the General Assembly to address the world drug problem and had identified 2019 as the target date to achieve the goals set out therein.³

7. At the closure of the high-level review by the Commission of the implementation by Member States of the Political Declaration and Plan of Action, conducted during the fifty-seventh session of the Commission, in March 2014, Member States adopted by consensus a Joint Ministerial Statement,⁴ which was the result of an intensive negotiation process. The Joint Ministerial Statement identifies, for each of the three pillars (demand reduction and related measures; supply reduction and related measures; and countering money-laundering and promoting judicial cooperation to enhance international cooperation), and in more generic terms, achievements, challenges and priorities for action. In the Statement, ministers and government representatives recognized that many challenges of the world drug problem had persisted and new ones had emerged in some parts of the world, and underscored the need to take those new trends into account in the implementation of the Political Declaration and Plan of Action. They took note of the ongoing

² E/2009/28, chap. I, sect. C.

³ In para. 36 of the Political Declaration, the States Members of the United Nations decided “to establish 2019 as a target date for States to eliminate or reduce significantly and measurably: (a) the illicit cultivation of opium poppy, coca bush and cannabis plant; (b) the illicit demand for narcotic drugs and psychotropic substances; and drug-related health and social risks; (c) the illicit production, manufacture, marketing and distribution of, and trafficking in, psychotropic substances, including synthetic drugs; (d) the diversion of and illicit trafficking in precursors; [and] (e) money-laundering related to illicit drugs”.

⁴ See 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 (E/2014/28-E/CN.7/2014/16, chap. V), adopted unanimously during the high-level segment of the fifty-seventh session of the Commission: “General challenges and priorities for action” (paras. 22-33); and challenges and priorities for action under sect. A, “Demand reduction and related measures” (paras. 6-14), sect. B, “Supply reduction and related measures” (paras. 15-37) and sect. C, “Countering money-laundering and promoting judicial cooperation to enhance international cooperation” (paras. 41-45).

discussions in some regions on how to address the world drug problem, in the light of the current situation and policies, and emphasized 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, on the most effective ways to counter the world drug problem, consistent with the three international drug control conventions and other relevant international instruments, in order to further implement the commitments and targets set out in the Political Declaration and Plan of Action.

8. During the panel discussion on substantive issues for the special session of the General Assembly, conducted during the regular fifty-seventh session, on 18 March 2014,⁵ speakers welcomed the Joint Ministerial Statement, which was based on broad ownership and was to be used as a common starting point in preparing for the special session. Participants in the panel discussion stressed, as summarized by the Chair in his salient points, the importance of a balanced, comprehensive, health-based approach, addressing both demand reduction and supply reduction and offering a vital role for prevention. In the panel discussion, speakers called upon the Commission, in preparing for the special session to take a practical approach, strengthening the operational and global implementation of existing policy documents, making full use of available tools and sharing evidence and expertise that existed at the national and regional levels. The Commission was also called upon to give special attention to the needs of the developing world and the importance of capacity-building in that regard.

9. Also at its fifty-seventh session, in March 2014, the Commission recommended that the Assembly reaffirm that, at its special session on the world drug problem in 2016, it would address substantive issues on the basis of the principle of common and shared responsibility and in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights, and in particular with respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, the inherent dignity of all individuals and the principle of equal rights and mutual respect among States. The Commission recognized that the special session constituted an opportunity for a high-level and wide-ranging discussion among Member States leading up to the target date of 2019, within the framework of the three international drug control conventions and other relevant international instruments, in order to further implement the commitments and targets set out in the Political Declaration and Plan of Action.⁶

B. Recommendations

1. Substantive issues to be covered

10. Bearing in mind the substantive scope defined in paragraph 45 of General Assembly resolution 67/193, **it is recommended that the substantive agenda of the special session promote, in line with the international drug control**

⁵ See E/2014/28-E/CN.7/2014/16, chap. V, paras. 91-102.

⁶ See Economic and Social Council resolution 2014/24, paras. 4 and 10.

conventions, a humane, human rights-centred and balanced approach that combines public health efforts with criminal justice efforts.

11. Public health efforts should draw on evidence-based measures for the prevention of drug use and treatment and care of people with drug use disorders and associated health conditions, including the prevention, treatment and care of HIV/AIDS, tuberculosis and hepatitis. Special attention is also to be devoted to ensuring the availability of controlled substances for medical purposes.

12. Criminal justice efforts are to focus on the criminal side of drug production and trafficking and related forms of crime, in particular serious and organized crime, including trafficking in small arms and light weapons. Consideration should also be given to threats posed by trafficking in precursor chemicals and amphetamine-type stimulants and new psychoactive substances, as well as trafficking in legal substances that imitate the effects of illicit drugs. Attention is also to be given to countering money-laundering and promoting judicial cooperation in criminal matters.

13. It is further recommended that the substantive agenda of the special session be development-oriented, thereby giving due consideration to economic and social issues and to the creation of development opportunities for affected populations.

14. The substantive agenda should integrate relevant security and governance aspects.

15. Special attention should be given to all human rights-related matters and to youth- and gender-related issues.

16. It is recommended that the substantive agenda of the special session acknowledge different regional and national realities, requiring flexible responses within, and in accordance with, the international legal framework, while at the same time reiterating the principle of common and shared responsibility and the importance of international cooperation, including through technical assistance, with special attention given to the needs of the developing world, including in countries affected by post-conflict or other crisis situations.

17. It is recommended that the substantive agenda of the special session be used as an opportunity to discuss practical action taken on the ground and to exchange information on national, regional and global experiences, expertise developed and lessons learned on what has and what has not worked. A balance is to be found between backward- and forward-looking elements, with the aim of discussing how the world drug problem can be addressed on the way to 2019 and beyond.

2. Agenda: format and modalities

18. It is recommended that a format be chosen that enables a substantive political debate at the highest level, while also providing a forum for interactive dialogue and exchange of views and experiences among all relevant stakeholders.

19. It is therefore recommended that a three-day high-level plenary debate, chaired by the President of the General Assembly, be held and that, in parallel, four half-day workshops in a Committee of the Whole be conducted.

(a) *General debate*

20. To give representatives of Member States, as well as heads of United Nations entities and specialized organizations, heads of other international and regional organizations and high-level representatives of non-governmental organizations, the opportunity to speak in the plenary, it is recommended that a three-day plenary debate be held. It is recommended that one generic theme be chosen, which could be along the following lines: “Assessing achievements and challenges in addressing the world drug problem at the national, regional and global levels: towards strengthening the operational implementation of the 2009 Political Declaration and Plan of Action”. This would enable speakers to share views on the situation nationally, regionally and transregionally and to share experiences gained and lessons learned from national, regional and global responses, actions and initiatives. Statements could also be delivered by regional groups, highlighting the specific challenges faced by their respective regions. It is recommended that speakers cover the three thematic pillars of the 2009 Political Declaration and Plan of Action:

- (a) Demand reduction and related measures;
- (b) Supply reduction and related measures;
- (c) Countering money-laundering and promoting judicial cooperation to enhance international cooperation.

21. As was the case during the high-level segment of the fifty-seventh session of the Commission on Narcotic Drugs, it is recommended that a high-level opening session be conducted during which the floor is given to representatives of the scientific community, youth and non-governmental organizations. Those representatives would make statements following statements by the President of the General Assembly and the Secretary-General of the United Nations.

(b) *High-level workshops*

22. It is recommended that, in parallel to the plenary debate, up to four high-level workshops be conducted, of half a days’ duration each, specifically, on the afternoon of the first day, the morning and afternoon of the second day and the morning of the third day.

23. It is recommended that for each of the workshops a broad thematic theme be chosen, demonstrating an integrated, multisectoral and multidisciplinary approach to the multifaceted nature of the world drug problem, leaving space and flexibility to cover a broad range of issues. One of those four workshops could be devoted to drugs and cross-cutting issues, in particular human rights, youth, women, children and communities, and another to the broader socioeconomic and development context in which the drug problem is to be placed, thereby stressing the importance of international cooperation among Member States, based on the principle of common and shared responsibility.

24. The high-level workshops would be prepared and conducted with the active involvement of all stakeholders, including, in addition to Member States, organs, entities and specialized organizations of the United Nations system, international and regional organizations, and civil society, in particular non-governmental organizations, the scientific community and youth.

3. Possible outcome

25. It is recommended that the outcome be practical and forward-looking. Such an outcome could consist of action-oriented recommendations, prepared by the Commission on Narcotic Drugs for adoption at the special session.

26. The adoption of those recommendations could be combined with a presentation to the plenary, before the closure of the special session, of a Chair's summary of the salient points raised during each of the high-level workshops.

4. Dates

27. The Commission recommended at its fifty-seventh session, in March 2014, that the General Assembly decide that the special session would be convened following the fifty-ninth session of the Commission, scheduled to be held in March 2016. This would allow for a special segment during the fifty-ninth session of the Commission to make final preparations for the special session of the General Assembly, including with regard to the format and content of the high-level workshops and the preparation of the action-oriented recommendations.

28. Therefore, it is recommended that the special session of the General Assembly be convened for a period of three days, likely in April 2016. Bearing in mind that the General Assembly has decided that the special session is to be conducted within existing resources, the exact days are yet to be determined, in close cooperation with the Department for General Assembly and Conference Management.

III. Preparatory process for the special session of the General Assembly on the world drug problem to be held in 2016

A. Background

29. In its resolution 57/5, the Commission welcomed the request made by the General Assembly, in its resolution 68/197, to the Commission, as the United Nations organ with the prime responsibility for drug control matters, to engage in the preparatory process for the special session and decided to take all possible measures to ensure an adequate, inclusive and effective preparatory process for the special session by using its existing meetings and reporting entitlements in the most efficient manner, bearing in mind the decision by the General Assembly, in its resolution 67/193, to conduct the special session and its preparatory process from within existing regular budget resources.

30. It also decided that, in preparation for the special session, it would hold formal meetings following its regular fifty-seventh session, including two formal meetings immediately preceding its reconvened fifty-seventh session, in December 2014; that it would devote eight meetings during its regular fifty-eighth session, to be held in March 2015, to the preparations for the special session; and that it would hold intersessional meetings with a view to preparing the formal meetings.

31. In addition to the first 13 operative paragraphs of resolution 57/5, which the Commission has started to implement, the Commission decided in paragraph 14 of that resolution to recommend to the General Assembly, through the Economic and Social Council, the adoption of a draft resolution containing a number of operational modalities for the special session. The Council has meanwhile acted upon that recommendation and in its resolution 2014/24 recommended those operational modalities to the General Assembly for final adoption at its sixty-ninth session. The Third Committee approved the operational modalities by consensus on 16 October 2014 and sent the relevant text for adoption to the plenary of the General Assembly.

32. Pursuant to paragraph 7 of its resolution 57/5, the Commission initiated a series of intersessional meetings, starting on 10 June 2014, with a view to preparing the open-ended special segments on preparations for the special session of the General Assembly, to be held during the reconvened fifty-seventh session of the Commission, in December 2014, and the regular fifty-eighth session, in March 2015.

33. During the intersessional meetings, substantive briefings were provided by the United Nations Office on Drugs and Crime (UNODC) on a number of substantive areas in response to the request made by the Commission in its resolution 57/5 that UNODC provide substantive expertise and technical support for the preparatory process.

34. In the spirit of paragraphs 10 and 11 of its resolution 57/5, the Commission encouraged United Nations entities and specialized agencies, intergovernmental organizations and non-governmental organizations to provide briefings.⁷ Thus, during the intersessional meeting of 10 June, a presentation was made by the Chair of the Vienna NGO Committee on Drugs on the involvement of civil society on the way to 2016. In addition, during the intersessional meeting of 4 September,

⁷ In paragraph 10 of resolution 57/5, the Commission recommended that “organs, entities and specialized agencies of the United Nations system, multilateral development banks, other relevant international organizations, including the International Narcotics Control Board, and regional organizations contribute fully to the Commission’s preparations for the special session of the General Assembly, in particular by submitting to the Commission, through the Executive Director of the United Nations Office on Drugs and Crime, specific recommendations on the issues to be addressed by the Assembly at that session”. In paragraph 11 it recognized “the important role played by civil society, in particular non-governmental organizations, in the preparations for and during the fifty-second and the fifty-seventh sessions of the Commission, including their high-level segments”; also recognized “the need for their active involvement in the preparations for the special session, as well as the need for their effective, substantive and active involvement during the special session, in accordance with the rules of procedure and practice developed for other special sessions of the General Assembly”; and requested “the Chair of the Commission to consider undertaking consultations and other appropriate actions in this regard with relevant stakeholders”.

presentations were made by representatives of the World Health Organization, the secretariat of the International Narcotics Control Board and UNODC on the issue of the availability of controlled substances for medical purposes. During that meeting, updated information was provided on the contributions that could be made through the UNODC Youth Initiative and the scientific community, which had been actively engaged in the preparations for the 2014 high-level review. During both of those meetings, delegations were called upon to encourage civil society organizations operating on the ground in their countries to provide information regarding lessons learned from actual projects implemented that could be of value to other regions.

35. With a view to taking regional perspectives into consideration, the Commission also aims to make the best possible use of the meetings of its subsidiary bodies, namely, the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East and the meetings of heads of national drug law enforcement agencies for Africa, Asia and the Pacific, Latin America and the Caribbean, and Europe, as they provide input from experts involved in the operational work on the ground. In that regard, reference is to be made to the request by the Commission on Narcotic Drugs in its resolution 56/10 to its subsidiary bodies to monitor the implementation by Member States of the Political Declaration and Plan of Action at the regional level by discussing regional views on progress made and submitting regional recommendations aimed at moving forward in the implementation of the Political Declaration and Plan of Action. All the regional meetings held in 2014 submitted recommendations for further consideration by the Commission. The reports of the regional meetings are being made accessible on the website for the special session of the General Assembly.

36. At the intersessional meeting of 4 September 2014, the Commission, in considering the agenda items to be covered in the special segment of its reconvened fifty-seventh session, approved the holding of an interactive debate on preparations for the special session of the General Assembly on the world drug problem to be held in 2016, addressing both substantive and organizational matters. It also started its consideration of proposed provisional agenda for the special segment on preparations for the special session of the General Assembly to be held during its fifty-eighth session, in March 2015. The special segments are to be open-ended, i.e. open to the participation of all States Members and observers of the United Nations, organs, entities and specialized agencies of the United Nations system, multilateral development banks and other relevant international and regional organizations, as well as civil society, in particular non-governmental organizations. Separate invitations (in addition to the invitations to the regular segment) are to be sent out for the special segments, and seating arrangements will be similar to those during the high-level segment held during the fifty-seventh session of the Commission on Narcotic Drugs, for which General Assembly seating arrangements were used. In accordance with established practice and with a view to ensuring continuity in the preparations for the special session of the General Assembly in 2016, the Commission could consider electing a separate bureau in charge of preparations for the special session, reflecting the open-ended nature of that work, in addition to the annual rotating bureaux in charge of the regular segments.

B. Recommendations

1. Special segment at the reconvened fifty-seventh session of the Commission on Narcotic Drugs

37. It is recommended that the Commission, during its special segment on 3 December 2014 on preparations for the special session of the General Assembly, finalize the provisional agenda for its special segment at its fifty-eighth session, in March 2015, on preparations for the special session of the General Assembly, in order to allow sufficient time for Member States and the Secretariat to undertake the necessary preparations, with a view to making the best possible use of the March session. The special segment in March 2015 will, pursuant to paragraph 7 of Commission resolution 57/5, consist of eight meetings (4 days). At its sixth intersessional meeting, on 23 October 2014, the Commission decided to recommend, for endorsement at its reconvened fifty-seventh session, in December, that the special segment be held from Monday, 9 March to Thursday, 12 March 2015, to be followed by the regular segment, to be held from Friday, 13 March to Tuesday, 17 March 2015.

38. It is recommended that the Commission reach an understanding in December 2014 on the possible format and provisional agenda for the special session of the General Assembly, with a view to being able to prepare for the high-level workshops to be held during the special session, and that it decide to devote time during its special segment in March 2015 to each of those workshops, with a view to further defining their substantive scope and content, including specific issues to be covered. The Commission is also to decide on the documentation it wishes the Secretariat to prepare for its special segment in March 2015.

2. Special segment at the fifty-eighth session of the Commission on Narcotic Drugs

39. It is recommended that Member States participating in the special segment in March 2015 include in their national delegations experts who could contribute substantively to each of the meetings devoted to preparations for the high-level workshops at the special session of the General Assembly. The meetings devoted to the preparations for those workshops would benefit from the active participation of relevant United Nations organs, entities and specialized agencies, multilateral development banks and other relevant international and regional organizations, as well as civil society and other relevant stakeholders.

40. It is recommended that during its special segment in March 2015, the Commission not only take further decisions on substantive matters, including relating to the provisional agenda and outcome of the special session of the General Assembly, but also decide on how it wishes to organize the second phase of its preparations for the special session (covering the intersessional period following the regular fifty-eighth session of the Commission, in March 2015, until the holding of the special session in 2016), including the organization of special segments on the special session of the General Assembly at its reconvened fifty-eighth session, in December 2015, and

at its fifty-ninth session, in March 2016, as well as a road map of intersessional meetings to prepare for the special segments.

41. Subject to the final adoption by the General Assembly of the draft resolution recommended by the Economic and Social Council in its resolution 2014/24, approved by consensus by the Third Committee on 16 October 2014, the Commission will make further recommendations regarding modalities for the conduct of the special session of the General Assembly, by addressing all organizational and substantive matters in an open-ended manner, with due attention to the rules of procedure of the Assembly, thereby drawing on the support, guidance and involvement of the President of the General Assembly. In this regard, it has been proposed that the President of the General Assembly be invited to attend the special segments of the Commission and that the Commission might also consider how it could further enhance its outreach to New York and Geneva.
