

## Background paper

# Preparations for an inclusive and meaningful mid-term review of the 2019 Ministerial Declaration in 2024

10<sup>th</sup> October 2022

## Introduction

In March 2019, UN Commission on Narcotic Drugs (CND) adopted the ‘Ministerial declaration on strengthening our actions at the national, regional and international levels to accelerate the implementation of our joint commitments to address and counter the world drug problem’,<sup>1</sup> in which they agreed that the CND would conduct a mid-term review of progress made ‘in implementing all our international drug policy commitments’ in 2024, with a final review planned in 2029. In support for this review, a multi-year work plan for the period 2019 to 2023<sup>2</sup> was established to enable member states to discuss progress made and remaining challenges in drug policy, focusing on the ‘persistent and emerging challenges related to the world drug problem’ identified in the 2019 Ministerial Declaration.

As the 2024 mid-term review is fast approaching, and a resolution will likely be adopted on its modalities at the 66<sup>th</sup> session of the CND in March 2023, this background paper aims to provide recommendations on the possible format and outcomes for the review. In doing so, we draw from lessons learned and past experiences from the 2014 mid-term review of the 2009 Political Declaration and Plan of Action on drugs, the 2016 UN General Assembly Special Session (UNGASS) on drugs, and the 2019 high-level segment which marked the 10-year review of the 2009 Political Declaration and that led to the adoption of the 2019 Ministerial Declaration.

## The format of the mid-term review

### *Format of the discussions*

For 2024, it is likely that a similar format to that used in both 2014 and 2019 will be considered,<sup>3</sup> that is, a two-day high-level ministerial segment held ahead of the 67<sup>th</sup> session of the CND, open to all UN member states. In 2014 and 2019, these high-level segments included both a plenary debate and a series of so-called “roundtables” running in parallel. The idea of the “roundtables” was to foster interactive discussions among member states, while the Plenary was the place for more formal statements. While in 2014 the “roundtables” focused on specific themes (demand reduction, supply reduction and international cooperation), the 2019 Ministerial Segment included two “roundtables” – one looking back at progress made and another one looking to the future.

Considering that a number of CND thematic intersessionals will have already been held from 2019 to 2023, it may not be pertinent to hold yet another series of thematic “roundtables” in 2024. Furthermore, in both 2014 and 2019, the “roundtables” failed to create a space for truly interactive debates, ending up becoming parallel

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<sup>1</sup> Available here: [https://www.unodc.org/documents/commissions/CND/2019/Ministerial\\_Declaration.pdf](https://www.unodc.org/documents/commissions/CND/2019/Ministerial_Declaration.pdf)

<sup>2</sup> Available here: [https://www.unodc.org/documents/commissions/CND/2019/Follow-up\\_to\\_2019\\_Ministerial\\_Declaration/Intersessional\\_Meetings/CND\\_Workplan\\_2019-2023.pdf](https://www.unodc.org/documents/commissions/CND/2019/Follow-up_to_2019_Ministerial_Declaration/Intersessional_Meetings/CND_Workplan_2019-2023.pdf)

<sup>3</sup> The modalities for the 2014 and 2019 high-level segments are available here: Commission on Narcotic Drugs (18 December 2013), *Organization of the high-level segment of the fifty-seventh session of the Commission on Narcotic Drugs, Note by the Secretariat*, <https://undocs.org/Home/Mobile?FinalSymbol=E%2FCN.7%2F2014%2F13&Language=E&DeviceType=Desktop&LangRequested=False>; Commission on Narcotic Drugs (2018), *Resolution 61/10. Preparations for the ministerial segment to be held during the sixty-second session of the Commission on Narcotic Drugs, in 2019*, [https://www.unodc.org/documents/commissions/CND/CND\\_Sessions/CND\\_61/CND\\_res2018/CND\\_Resolution\\_61\\_10.pdf](https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/CND_res2018/CND_Resolution_61_10.pdf)

plenaries with prepared statements – although it should be noted that the CND thematic intersessionals held since 2019 have been more interactive, with real dialogues and interactions between different stakeholders.

### Summary table: Key recommendations for the 2024 mid-term review

#### **Format:**

- Hold the session in hybrid format to ensure maximum participation from all interested stakeholders, and have it streamed and recorded on UN Web TV.
- Ensure the meaningful participation of all relevant UN entities, including via the Implementation Task Team of the UN System Common Position on drugs (thereafter ‘implementation Task Team’).
- Ensure the meaningful participation of civil society via collaboration with the NYNGOC and the VNGOC.

#### **Evaluation of progress made to date:**

- Mandate the UNODC to work with the implementation Task Team on an evaluation report of progress made since 2019 (as a follow up to their 2019 report),<sup>4</sup> with contributions from member states, civil society, UN entities, and based on the reports of past CND thematic intersessionals held since 2019.
- Use the evaluation report as a basis for discussions for the mid-term review discussions in 2024.

#### **Outcome:**

- Consider, instead of – or in addition to – a negotiated political document, a detailed CND Chair’s summary report that reflects the breadth of the debates held, and that refers back to the implementation Task Team’s evaluation report.
- Adopt a roadmap of further CND debates for the period 2025-2029, culminating in a final evaluation in 2029, closely aligned with the 2030 Agenda for Sustainable Development.

In light of this, it may be more pertinent, and simpler, for the 2024 mid-term review to avoid the parallel “roundtable” format altogether and adopt instead a format similar to the CND thematic intersessionals, that is, a panel of speakers (including representatives from regional groups, UN entities and civil society), followed by questions, discussions and statements. One day would be dedicated to looking back at progress made and ongoing challenges, and the other day focused on discussing efforts needed between 2025 and 2029 to implement international commitments.

### **Ensuring broad participation**

Over the past decade,<sup>5</sup> IDPC has repeatedly called for the broadest possible participation in UN drug policy discussions, including ensuring a hybrid format so that all relevant stakeholders are able to participate. This includes those **member states** that have no permanent representation in Vienna. Prior to the COVID-19 pandemic, this seemed to be a difficult endeavour. However, the CND Secretariat is now very well versed in the successful delivery of hybrid and virtual meetings. It is critical that the 2024 mid-term review provides an opportunity for participants to fully engage – whether in person or virtually – and that the event is both

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<sup>4</sup> UN system coordination Task Team on the Implementation of the UN System Common Position on drug-related matters (2019), *What we have learned over the last ten years: A summary of knowledge acquired and produced by the UN system on drug-related matters*, [https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN\\_Entities/What\\_we\\_have\\_learned\\_over\\_the\\_last\\_ten\\_years\\_-\\_14\\_March\\_2019\\_-\\_w\\_signature.pdf](https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN_Entities/What_we_have_learned_over_the_last_ten_years_-_14_March_2019_-_w_signature.pdf)

<sup>5</sup> See: International Drug Policy Consortium (2014), *Disconnected realities: Can the UN Commission on Narcotic Drugs develop policies that meet the challenges of drug control in the 21<sup>st</sup> century?*, [http://filesserver.idpc.net/library/IDPC\\_Advocacy\\_Note\\_CND\\_2014.pdf](http://filesserver.idpc.net/library/IDPC_Advocacy_Note_CND_2014.pdf); International Drug Policy Consortium (November 2018), *On the road towards the 2019 Ministerial Segment (version 2)*, [http://filesserver.idpc.net/library/The-road-towards-2019\\_ENG.pdf](http://filesserver.idpc.net/library/The-road-towards-2019_ENG.pdf)

webcast and recorded. Various other UN proceedings are currently recorded on UN Web TV,<sup>6</sup> the public affairs television arm of the UN. Since Vienna already has webcasting ability, bringing these live streams to UN Web TV in time for the 2024 mid-term review would ensure that recordings of the session are archived and available for later viewing.

Furthermore, the 2024 mid-term review should promote and facilitate the participation of **all relevant UN agencies and entities**, as their increasing engagement in Vienna has been essential to improving coherence within the UN system on drug policies grounded in human rights, health and development – in line with the UN System Common Position on drugs.<sup>7</sup> The mid-term review would provide a key opportunity to reignite the work of the implementation Task Team, as will be explored further below.

Finally, the mid-term review should ensure **meaningful civil society participation**. At the 2016 UNGASS and the 2019 Ministerial Segment, a “Civil Society Task Force” was established through a partnership between the Vienna NGO Committee on Drugs (VNGOC)<sup>8</sup> and the New York NGO Committee on Drugs (NYNGOC)<sup>9</sup> – thereby ensuring the broadest possible civil society participation in the debates. For 2019, the Civil Society Task Force was specifically named in the modalities resolution, meaning that this is now agreed CND language.<sup>10</sup> However, a Civil Society Task Force requires funding and significant coordination, and such an initiative may not be necessary for a mid-term review such as 2024 – especially as the collaborative relationship between both NGO Committees remains strong. However, it is important that the modalities resolution for the mid-term review explicitly mentions the role of both the VNGOC and the NYNGOC. This is necessary as the memberships of the committees focus on different regions (with the VNGOC focusing more on Europe, Africa and Asia, while the NYNGOC covers many NGOs based in the Americas which are not members of the VNGOC), thereby ensuring the broadest possible reach and engagement from civil society. In addition, the modalities resolution for the mid-term review should enshrine the active participation of civil society in all segments – including adequate space for interventions in person, online, and in writing. Learning from the success of the CND thematic intersessionals programme, the Chair should give the floor for civil society contributions throughout each session and not just at the very end. In turn, the NGO committees would take on the responsibility to issue open calls for speakers, and to select a broad range of voices to enhance the discussions in Vienna.

## Box 2. Recommendations for the next CND thematic intersessional in autumn 2023

For 2023, the multi-year work plan states that there will be ‘a comprehensive stock-taking of progress made in implementing all international drug policy commitments to address the challenges identified in the Ministerial Declaration’.<sup>11</sup> This should be an opportunity for the UNODC, working in collaboration with the UN implementation Task Team, to collate further inputs on their evaluation report, as well as to start discussing ideas for the ‘way forward’ for 2025 to 2029. In this way, the 2023 session would lay the groundwork for the more thorough review and debates on the future of global drug control in March 2024.

<sup>6</sup> <https://media.un.org/en/webtv>

<sup>7</sup> Available here: <https://unsceb.org/sites/default/files/2021-01/2018%20Nov%20-%20UN%20system%20common%20position%20on%20drug%20policy.pdf>

<sup>8</sup> The VNGOC provides a vital link between NGOs and the Vienna-based agencies involved in drug policy, including the CND, the INCB and UNODC. For more information, visit [www.vngoc.org](http://www.vngoc.org)

<sup>9</sup> The NYNGOC provides a platform for discussion on drugs and drug-related topics, and interfaces with the UN to collaborate on solutions to global drug problems. For more information, visit [www.nyngoc.org](http://www.nyngoc.org) (please note that the NYNGOC website is currently under construction)

<sup>10</sup> See para 1(c)(iii) of: Commission on Narcotic Drugs (2018), *Resolution 61/10. Preparations for the ministerial segment to be held during the sixty-second session of the Commission on Narcotic Drugs, in 2019*, [https://www.unodc.org/documents/commissions/CND/CND\\_Sessions/CND\\_61/CND\\_res2018/CND\\_Resolution\\_61\\_10.pdf](https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/CND_res2018/CND_Resolution_61_10.pdf)

<sup>11</sup> See: [https://www.unodc.org/documents/commissions/CND/2019/Follow-up\\_to\\_2019\\_Ministerial\\_Declaration/Intersessional\\_Meetings/CND\\_Workplan\\_2019-2023.pdf](https://www.unodc.org/documents/commissions/CND/2019/Follow-up_to_2019_Ministerial_Declaration/Intersessional_Meetings/CND_Workplan_2019-2023.pdf)

## The need for an official and meaningful evaluation of progress made to date

A mid-term review naturally entails that an evaluation be conducted to assess progress made since 2019. In 2014, the UN Office on Drugs and Crime (UNODC) drafted a report in the lead up to the mid-term review of the 2009 Political Declaration, highlighting progress made, setbacks and areas where there was no change since 2009<sup>12</sup> – although this evaluation did not include any contributions from civil society or other UN agencies. In 2019, an official evaluation of the impacts of global drug control failed to materialise, even though the 10-year mark agreed in the 2009 Political Declaration to achieve a number of results had been reached. Instead, the UNODC continued to produce its biannual reports on progress made in the implementation of the 2009 Political Declaration,<sup>13</sup> but these reports were not comprehensive, and only incorporated information gathered through the Annual Report Questionnaire without any inputs from other stakeholders. This led various civil society groups to conduct their own evaluation in the lead up to the 2019 Ministerial Segment.<sup>14</sup> In addition, the UN implementation Task Team also submitted a contribution at the Ministerial Segment, reviewing the past decade of evidence and providing their own recommendations on the way forward for drug policy.<sup>15</sup>

An evaluation of progress made since 2019 is essential if this mid-term review is to provide an adequate assessment of how drug policies have evolved over the past five years, which challenges remain unaddressed, and what the international community should focus on in the next five years. However, inputs for the evaluation – providing inputs to member states for the mid-term review – should not be provided by the UNODC alone. Indeed, the importance of stronger inter-agency collaboration and systemwide coherence was emphasised by the 2016 UNGASS Outcome Document and the 2019 Ministerial Declaration.

One option, drawing from past experiences, could involve mandating the UNODC (with adequate funding) to work with the UN implementation Task Team to produce a comprehensive report that would constitute an update to their 2019 report, reviewing evidence and lessons learned from the entire UN system since 2019, including:

- 1- All discussions already held at the CND thematic intersessionals since 2019
- 2- Inputs from all relevant UN entities, including those collected via the UN implementation Task Team
- 3- Contributions from civil society
- 4- Contributions from member states.

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<sup>12</sup> United Nations Office on Drugs and Crime (6 December 2013), *Contribution of the Executive Director of the United Nations Office on Drugs and Crime to the high-level review of 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, to be conducted by the Commission on Narcotic Drugs in 2014*, UNODC/ED/2014/1,

<https://undocs.org/Home/Mobile?FinalSymbol=UNODC%2FED%2F2014%2F1&Language=E&DeviceType=Desktop&LangRequested=False>

<sup>13</sup> The biennial reports for 2012, 2014 and 2016 are available here:

[https://www.unodc.org/unodc/en/commissions/CND/Political\\_Declarations/Political-Declarations\\_2009-Declaration.html](https://www.unodc.org/unodc/en/commissions/CND/Political_Declarations/Political-Declarations_2009-Declaration.html); the biennial report produced in 2018 is available here:

<https://undocs.org/Home/Mobile?FinalSymbol=E%2FCN.7%2F2018%2F6&Language=E&DeviceType=Desktop&LangRequested=False>

<sup>14</sup> International Drug Policy Consortium (2018), *Taking stock of a decade of drug policy: A civil society shadow report*, [http://filesERVER.idpc.net/library/Shadow\\_Report\\_FINAL\\_ENGLISH.pdf](http://filesERVER.idpc.net/library/Shadow_Report_FINAL_ENGLISH.pdf)

<sup>15</sup> UN system coordination Task Team on the Implementation of the UN System Common Position on drug-related matters (2019), *What we have learned over the last ten years: A summary of knowledge acquired and produced by the UN system on drug-related matters*,

[https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN\\_Entities/What\\_we\\_have\\_learned\\_over\\_the\\_last\\_ten\\_years\\_-\\_14\\_March\\_2019\\_-\\_w\\_signature.pdf](https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN_Entities/What_we_have_learned_over_the_last_ten_years_-_14_March_2019_-_w_signature.pdf)

The above contributions should be carefully reviewed and meaningfully incorporated into the evaluation report, instead of being a ticking-the-box exercise as was the case for the 2016 UNGASS.<sup>16</sup> The evaluation report should be produced well ahead of the 2024 mid-term review, and be used as a basis for the discussions.

## The outcome(s) of the 2024 mid-term review

The environment of the CND has become increasingly fractious, reflecting the growing divergence of policy approaches and the reality that the consensus on drug policy at the UN level has reached a breaking point. The negotiations of the 2019 Ministerial Declaration reflected this fractured consensus.<sup>17</sup> These tensions were already obvious in the 2016 UNGASS process,<sup>18</sup> as well as for the mid-term review of the 2009 Political Declaration in 2014.<sup>19</sup> This raises questions regarding the outcome for the 2024 mid-term review. Furthermore, current geo-political dynamics, such as Russia's invasion of Ukraine, creates additional tensions that may complicate negotiations for a political statement or declaration in 2024.

Given how difficult and time-consuming it would be to achieve a meaningful and progressive consensus on a 2024 political declaration, member states might consider an additional<sup>20</sup> – or alternative – outcome such as a detailed CND Chair's summary report of the proceedings. Such a summary report would not be negotiated, but rather reflect the breadth of the debates held, and refer back to the evaluation report. This has been done for the roundtable discussions at the UNGASS, as well as for the CND thematic intersessionals from 2019 to 2022. As for official CND reports, the draft summary report of the mid-term review could be presented at the closing session of the high-level segment, enabling member states to provide comments on the report if they believe that it does not reflect some elements of the discussions.

Another outcome of the 2024 mid-term review should be a clear roadmap of further debates for the period 2025-2029. The current multi-year work plan of thematic intersessionals (2019-2023) has ensured that critical drug policy discussions are kept high on the agenda of the CND (including dedicated sessions addressing issues related to human rights, health, access to medicines, alternatives to punishment and many others). It is therefore essential that these intersessionals continue to take place in the lead up to the final review in 2029 – whether on the same topics as those highlighted in the 2019 Ministerial Declaration, or a different division based on the discussions held at the 2024 mid-term review. Furthermore, considering that the 2030 Agenda for Sustainable Development<sup>21</sup> will end just one year after the 2029 review is set to take place, clear links should be made between the 2029 review of global drug policies and an assessment of progress made in the implementation of the Sustainable Development Goals.

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<sup>16</sup> In the lead up to the UNGASS, a call for contributions was launched by UNODC for UN entities, NGOs and member states to submit information related to the Special Session. Disappointingly, none of these made it into any of the official documentation or the final Outcome Document. See: <https://www.unodc.org/ungass2016/en/contributions.html>

<sup>17</sup> For a full description of the negotiations process and of the Ministerial Segment, see: International Drug Policy Consortium (2019), *The 2019 Commission on Narcotic Drugs and its Ministerial Segment: Taking stock of the implementation of the commitments made to jointly address and counter the world drug problem, in particular in light of the 2019 target date*, [http://fileserv.idpc.net/library/CND-Proceedings-Report\\_2019.pdf](http://fileserv.idpc.net/library/CND-Proceedings-Report_2019.pdf)

<sup>18</sup> For an analysis of the negotiations of the 2016 UNGASS Outcome Document, see: International Drug Policy Consortium (2016), *The United Nations General Assembly Special Session (UNGASS) on the world drug problem: Report of proceedings*, [http://fileserv.idpc.net/library/UNGASS-proceedings-document\\_ENGLISH.pdf](http://fileserv.idpc.net/library/UNGASS-proceedings-document_ENGLISH.pdf)

<sup>19</sup> For an analysis of the negotiations of the 2014 Joint Ministerial Statement, see: International Drug Policy Consortium (2014), *The 2014 Commission on Narcotic Drugs and its High-Level Segment: Report of proceedings*, <https://idpc.net/publications/2014/06/the-2014-commission-on-narcotic-drugs-and-its-high-level-segment-report-of-proceedings>

<sup>20</sup> Note, however, that high-level participation (including from Ministers) may be more difficult to achieve at the 2024 mid-term review if a political document is not going to be adopted at the event

<sup>21</sup> Both the 2016 UNGASS Outcome Document and the 2019 Ministerial Declaration acknowledge how implementing drug control and achieving the 2030 Agenda for Sustainable Development are complementary and mutually reinforcing

*Please note that future iterations of this background note may be produced as the discussions on the mid-term review evolve in the coming months and may also be published as an IDPC advocacy note.*