

For NGOs and Civil Society

UNGASS: Update and Next Steps III

PREPARED BY THE INTERNATIONAL COUNCIL OF AIDS SERVICE ORGANIZATIONS (ICASO)
JUNE 7, 2001

Introduction

With only a few weeks to go to the United Nations General Assembly Special Session (UNGASS) on HIV/AIDS, on June 25-27, 2001 in New York, the text of the final Declaration of Commitment is still not decided. For civil society, there is still much work to do to influence national governments on the contents of the Declaration.

This document contains an update on recent developments, information on upcoming events and strategies NGOs can follow in the coming weeks. This is the fourth in a series of documents from ICASO on the UNGASS process. The titles of the first three documents are:

- ❑ *A Guide for Meaningful Involvement of NGOs and Civil Society* (February 26, 2001)
- ❑ *Next Steps for Involvement of NGOs and Civil Society* (March 15, 2001)
- ❑ *UNGASS: Update and Next Steps II* (May 11, 2001)

Copies of all four documents are available in English, French and Spanish on the ICASO website at <http://www.icaso.org>.

This document provides information that was current on June 6, 2001. Please remember that the situation with respect to UNGASS is constantly evolving.

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1.0 Current Status

1.1 Declaration of Commitment

Country delegations met in New York during the week of May 21-25, 2001 to negotiate the text of the Declaration of Commitment. These negotiations were not open to the public.

The draft Declaration of Commitment has been expanded. The second draft (dated May 11, 2001) was 11 pages long in the English version. The latest draft is reported to be about 20 pages long. However, there was difficulty reaching consensus on the wording of some specific sections of the Declaration. Negotiations did not end as planned on May 25th. Country delegations continued negotiations until June 3rd without consensus on specific sections although they had reached consensus on about 85% of the Declaration. There are two main problem areas:

- ❑ **VULNERABLE GROUPS.** A block of countries is objecting to including in the list of vulnerable groups men who have sex with men, injection drug users, and sex workers and their clients.
- ❑ **HUMAN RIGHTS.** The same block of countries is objecting to any reference to the *International Guidelines on HIV/AIDS and Human Rights* as a guiding document. Also some countries are simply having difficulty with the inclusion of a strong statement on human rights.

While there are some countries that have been the most vocal with their objections, there are other countries that share their position. However, there are also many countries that believe that a strongly worded Declaration of Commitment is required and that it needs to incorporate the listing of vulnerable groups and a strongly worded human rights section.

The latest draft of the Declaration is about to be circulated to country missions. It is not clear whether it will be made available to others as it remains incomplete. If a copy is made available to civil society organizations, it will be immediately posted on Break-the-Silence.

In view of the current impasse around the wording of the Declaration of Commitment, the co-facilitators of the UNGASS process, the ambassadors to the UN from Sénégal and Australia in cooperation with the President of the General Assembly, will decide on the next step for completing the Declaration. We have identified four possible options for proceeding:

1. Continue negotiations between now and the Special Session. This may include behind the scenes discussions rather than another consultation of UN member states as in the informal consultations.
2. Continue negotiations at the Special Session. This may include a formal consultation of missions and delegations just prior to or parallel to the Special Session.
3. Issue a much shorter statement with no specific commitments to action. This may include only the Preamble section of the Draft Declaration, and/or areas of the Declaration where there is complete consensus.
4. Vote on the Draft Declaration, including sections on vulnerable groups and human rights, at the General Assembly. Although voting is not generally the practice at the General Assembly, it is a last resort for political resolution. Countries can then decide to voice their dissent on specific sections if they choose at the Special Session during the Plenary.

1.2 Global AIDS Fund

Meanwhile, work continues to define the proposed Global AIDS Fund. A number of meetings have either been held or are being planned, including a large meeting in Geneva on June 3-4, 2001, involving developed countries, developing countries and selected NGOs.

2.0 What Should NGOs Do Now?

2.1 Declaration of Commitment

The issues in dispute are critical. If we do not name the vulnerable groups, we will not be able to effectively address their issues and they may not be included in programmes funded through the proposed Global AIDS Fund. Adopting a human rights-based approach to HIV/AIDS is essential for a comprehensive response to the epidemic.

ICASO believes further negotiations on the disputed issues are unlikely to resolve the impasse. The positions of many countries are too firmly entrenched. The option of a reduced Declaration based on those issues where we now have consensus would be disastrous. It would undermine all of the hard work that has gone into preparing the draft Declaration of Commitment and it would produce a watered-down Declaration of limited usefulness.

While it is still preferable that all countries agree by consensus to a strongly-worded Declaration, this does not seem possible. Twenty years into the epidemic, and many countries remain in denial. Therefore, ICASO recommends that NGOs advocate for the fourth option: voting on a Declaration that includes the naming of vulnerable groups and a human rights-based approach (the disputed areas) at the General Assembly. By voting for a strongly worded Declaration, a simple majority is sufficient. Furthermore, it remains important that the names of the countries that are opposed to the inclusion of all vulnerable groups and a strong human rights thrust would be on the public record.

SPECIFIC ACTIONS:

NGOs should find out where their governments stand on the vulnerable groups and human rights issues. If your government is not among the block of countries that is seeking to limit the Declaration, here are some actions you can take in the next few days:

- ❑ *Lobby your government to stand firm and not accept any watering down of the Declaration text. Make sure that your government knows your position on vulnerable groups and human rights.*
- ❑ *Lobby your government to support a public vote on a strong Declaration.*
- ❑ *Write to His Excellency Mr. Harri Holkeri, President of the General Assembly, and Her Excellency Ms. Penny A. Wensley and His Excellency Mr. Ibra Deguène Ka, the co-facilitators of the Special Session, to reiterate the need to include all vulnerable groups and a strong emphasis on human rights, and to express support for a vote at the General Assembly.*

- *Write to Kofi Annan, the UN Secretary General to:

 - encourage him to pressure the opposition block of countries to back down;
 - encourage him to lobby other countries to stand firm; and
 - express your support for a vote of the General Assembly.*

- *Adjust your media strategy to incorporate the drafting difficulties. Building media awareness for the inclusion of vulnerable groups and human rights can add pressure on the UN General Assembly, and our countries, to ensure a strong Declaration.*

(See box on page 6 for contact information for the individuals listed above.)

If your government is one of the block countries, you should be doing what you can to reverse its positions on vulnerable groups and human rights, and to expose your government's position publicly. For more information on the block countries, please contact a member of the Ad Hoc Group listed at the end of the document.

2.1 Representation on Country Delegations

If your country has not already included NGO and PWA representatives on its UNGASS delegation, you should be actively lobbying for such participation. There may still be time to accomplish this.

3.0 What Will Happen at the Special Session?

3.1 Plenary Sessions

During the Special Session, there will be plenary sessions involving all country delegations. The final Declaration of Commitment will be adopted during the plenary sessions. NGO representatives will be able to participate in these sessions if they are part of the country delegations or if they have been invited to address the delegates. (Four civil society presentations are scheduled: two from persons living with HIV/AIDS, one from a person representing youth, and one from a representative of the business sector.) In addition, a certain number of seats will be available to accredited NGOs (as observers); these seats will have to be shared on a rotating basis.

3.2 Round Tables

At the Special Session itself, on June 25-27, there will be four round table discussions. There will be 65 participants invited to each round table, of which between 4-8 are expected to come from the NGO community. The chairs of the round tables have been identified (see the table at the end of the document). For each round table, the chair will determine the format and will (shortly) publicly release a brief paper (3-4 pages long) that will contain the agenda for the meeting. We are awaiting further information on whether and how NGOs will be able to observe the round table discussions.

A list of the four round table topics, and the convening agencies (i.e., chief organisers) and UNAIDS resource persons for each, is included on the table at the end of this document, along with contact information.

If the negotiations on the text of the Declaration of Commitment continue until the last moment, these round tables may take on a special importance. They may provide us with an opportunity to reinforce our messages on the need to name all vulnerable groups and the importance of taking a strong human rights-based approach to the epidemic.

SPECIFIC ACTION:

NGOs should contact the convenors, resource persons and chairs to reinforce the importance of the issues outlined above and to suggest ideas on how to frame the discussions at the round tables.

3.3 NGO Activities Associated with the Special Session

There are several activities being organised by an ad-hoc group of international NGOs that relate directly to the conduct of the Special Session. The organizations heading this group are listed at the end of this document. Some key activities that the group will develop include:

- ❑ An orientation session on Sunday, June 24 to provide NGOs with the latest information on the Declaration and other UNGASS activities. The session will (a) provide an orientation to the UN system, (b) suggest lobby and advocacy activities participants might engage in, and (c) help participants to organize their time productively.
- ❑ Also on Sunday, June 24, following the orientation session, there will be a session to enable participants to begin to strategise on how to use the Declaration of Commitment at country level as an advocacy tool.
- ❑ Daily briefings for NGOs. Civil society representatives from national delegations will provide regular updates on the proceedings of the plenary sessions.
- ❑ An NGO follow-up meeting is planned for Wednesday, June 27, to consider next steps and ways to use the Declaration, in whatever form it emerges from the Special Session.

Further details, including locations and times, will be announced shortly.

3.4 Parallel NGO Activities Before and During the Special Session

International and New York-based groups are planning a number of parallel activities before and during the Special Session, including a global rally scheduled for Saturday, June 23. Announcements concerning these parallel events are posted regularly on Break-the-Silence, the dedicated NGO and civil society email discussion forum established to support NGO participation in the UNGASS process. If you would like more information, consult the latest list of activities posted on Break-the-Silence on June 4; for a copy of this posting, go to the website the website of Health Development Networks at <http://www.hdnet.org>. Or contact Sam Avrett at the UNAIDS Liaison Office in New York at savrett@aol.com. UNAIDS will update this list regularly after June 12th.

- ❑ If you want to organise an event at the UN at the time of the Special Session, you need to finalise your request by June 10. A notice on this topic was posted on Break-the-Silence on May 31. Contact Ben Plumley at the UN at plumleyb@unaids.org.
- ❑ If your NGO wants to organise a media conference at the UN, you need to find a sponsoring UN agency.

4.0 NGO Attendance at the Special Session

4.1 Should I attend?

We encourage you to send representatives to New York for the Special Session. It is important for NGOs to have a strong presence, to show solidarity, to put forward their views and to try to ensure that UNGASS becomes a meaningful process. You will also be able to participate in discussions on how to use the Declaration of Commitment for local and national advocacy work. As well, this is an excellent opportunity to network with other NGOs.

However, it is very important for NGOs to be aware of the limitations of the Special Session. It is not an international AIDS conference. Space for NGO representatives will be very limited at both the plenary sessions and the round tables. If you come to New York, you will not likely be able to participate directly in the Special Session. This is why the International and New York groups are organising a number of parallel activities for NGOs. This is also why two daily briefings are planned. We also need to be aware that there is no guarantee that the final Declaration of Commitment will be a meaningful and useful document.

Despite some misgivings of the UNGASS process, it remains an opportunity for all of us to build our linkages and work toward the implementation and monitoring of the Declaration. If you are able to attend, we recommend that you arrive by Friday, June 22. This will give you time to attend the rally on Saturday and the NGO orientation sessions on Sunday.

Here is some more information for those NGOs planning to attend:

- ❑ A number of New York-based groups are prepared to assist visiting NGO representatives. Please contact Sam Avrett at savrett@aol.com for more information.
- ❑ NGOs should now contact their national delegation and request a meeting with them in New York to discuss the Declaration and next steps. If there are NGO representatives on the National Delegation, they should promote and/or facilitate such a meeting.
- ❑ NGOs should now contact their local media and arrange interviews regarding UNGASS and the expected follow-up. You could possibly suggest an interview with them or a story on what the Declaration will mean at country level.
- ❑ If you are HIV-positive, you should be aware of the laws and policies of the United States with respect to the admission of visitors living with HIV/AIDS. A description of these laws and policies was posted on Break-the-Silence on June 1 by the Gay Men's Health Crisis, a New York HIV/AIDS NGO. For more information, contact Vishal Trivedi at vishalt@gmhc.org.

4.2 Travel Fund

A limited trust fund has been established at UNAIDS with funding provided by governments and private foundations. This fund will cover travel costs for one representative from each NGO in developing countries that has been accredited to UNGASS, but that does not hold ECOSOC status, and that is not receiving travel support from other sources. There are about 190 NGOs that qualify for assistance. The UN Office for Project Services (UNOPS) is handling all travel arrangements. UNOPS is contacting all 190 NGOs directly.

Contact Information

His Excellency Mr. Harri Holkeri
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His Excellency Kofi Annan
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Permanent Mission of Australia to the United Nations
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Ad-hoc Group of International NGOs

The role of this group is to plan and coordinate NGO activities, specifically the on-site parallel events to the Special Session. This group will expand in the coming weeks in order to better prepare and implement activities that promote issues of concern to the NGO and PWA community. If you have any comments and/or suggestions, please do not hesitate to contact one of the individuals listed.

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UNGASS Round Tables

Topic	Convening Agencies	Contact Persons	Contact Details	UNAIDS Resource Persons	Contact Details
HIV/AIDS Prevention and Care ¹	World Health Organisation (WHO)*	Winnie Mpanju-Shumbaso	mpanjuw@who.ch	Frances McCaul	mccaulf@unaids.org Tel. (41-22) 791-4662
		Kingsley Gee	gee@un.org		
	UN Fund for Population Activities (UNFPA)	Suman Mehta	mehta@unfpa.org	Jean-Louis Lamboray	lamborayj@unaids.org Tel. (41-22) 791-4756
	UN Educational, Scientific and Cultural Organisation (UNESCO)	Alfatih Hamad	hamad@un.org	Jos Perriens	perriensj@unaids.org Tel. (41-22) 791-4456
HIV/AIDS and Human Rights ²	UN Children's Fund (UNICEF)*	Mark Stirling	mstirling@unicef.org	Frances McCaul	mccaulf@unaids.org Tel. (41-22) 791-4662
	UN Development Fund for Women (UNIFEM)	Stephanie Urdang	stephanie.urdang@undp.org	Miriam Maluwa	maluwam@unaids.org Tel. (41-22) 791-4675
Social and Economic Impact / Strengthening National Capacities ³	UN Development Programme (UNDP)*	Hakan Bjorkman	hakan.bjorkman@undp.org	Clara Diaz	diazc@unaids.org Tel. (41-22) 791-4518
	UN Drug Control Programme (UNDCP)	Moruf Adelekan	moruf.adelekan@undcp.org	Robert Hecht	hechtr@unaids.org Tel: (41-22) 791-4355
	International Labour Organisation (ILO)	Frank Lisk	lisk@ilo.org		
International Funding and Cooperation ⁴	World Bank*	Debrework Zewdie	dzewdie@worldbank.org	Clara Diaz	diazc@unaids.org Tel: (41-22) 791-4518
	UN Development Programme (UNDP)	Monica Sharma	monica.sharma@undp.org	Ross Noble	nobler@unaids.org Tel: (41-22) 791-4304

* Lead agencies

^{1, 2, 3, 4} Each round table will be chaired the head of a country delegation, as follows:

1. Brazil 2. Poland 3. Malaysia or Thailand 4. Tanzania