

Economic and Social Council

General segment

Item 14 d. Social and human rights questions - Narcotic drugs

24 July 2008

Statement by Prof. Hamid Ghodse President of the International Narcotics Control Board

Mr. Chairman, Excellencies, Ladies and Gentlemen,

At the outset, I would like to congratulate Ambassador Mérorès of Haiti, President of the Council, and other members of the Bureau on their election and extend to them my best wishes for a successful outcome of deliberations.

Mr. Chairman,

In accordance with the international drug control treaties, I would like to present the annual report of the International Narcotics Control Board for 2007. The Board launched the report in Vienna and some 20 countries around the world, in March 2008. The annual report and the Board's report on the implementation of article 12 of the 1988 Convention were discussed during the fifty-first session of the Commission on Narcotic Drugs.

Mr. Chairman,

The first chapter of the Board's annual report for 2007 reviews the principle of proportionality and drug-related offences and calls for penalties to be proportionate to the seriousness of the crime. The three international drug control treaties, namely the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 encourage and facilitate sanctions proportionate to the seriousness of the respective drug-related offences.

The 1988 Convention in particular requires parties to the Convention to take special measures to ensure that serious offences are not committed with impunity. The Convention requires parties to ensure that courts take into account aggravating

circumstances when sentencing offenders. Any discretionary powers to prosecute those offences must be exercised to maximize the effectiveness of law enforcement. The 1988 Convention aims to put an end to safe havens for persons committing serious offences.

On the other hand, the Conventions differentiate sharply between offences related to drug trafficking and offences related to drug abuse. Likewise, the Conventions make a distinction between offences committed by drug abusers and those committed by non-abusers. Notably, the Conventions see to it that drug abusers who have committed offences are provided with the opportunities to undergo treatment and rehabilitation measures, in addition to conviction or punishment or as an alternative.

In this chapter, the Board stresses that due respect for universal human rights and the rule of law is important for effective implementation of the international drug control Conventions. If these principles are not respected, this can prejudice the ability of the criminal justice system to enforce the law, can lead to discriminatory disproportionate responses and can undermine the Conventions. Respect of the values enshrined in the Universal Declaration on Human Rights, which was adopted almost 60 years ago, is crucial in this regard.

The chapter contains concrete recommendations to Governments, international organizations and other concerned parties to ensure that responses to drug-related offences and offenders are proportionate.

Mr. Chairman,

The Board continues to monitor the difficult drug control situation in Afghanistan. The large-scale opium poppy cultivation in that country seriously endangers the aims of the 1961 Single Convention on Narcotic Drugs, and for that reason, the Board invoked article 14 of that Convention in 2000.

Since then, the situation has not improved. An unprecedented 193,000 hectares were devoted to the illicit cultivation of opium poppy in Afghanistan in 2007. In addition, cannabis cultivation has boomed, reaching 70,000 hectares in 2007. The recent seizure of 238 tons of cannabis in Afghanistan suggests that cannabis cultivation has been firmly established in some parts of the country.

Another concern is the trafficking of chemicals, in particular acetic anhydride, to Afghanistan for the illicit manufacture of heroin. Afghanistan has no legitimate

requirements for acetic anhydride and although the chemical is controlled under the 1988 Convention, large quantities still find their way to the country. The Board calls on Governments to report any order or request involving the shipment of acetic anhydride to Afghanistan to the Board.

The Board welcomes Security Council resolution 1817, adopted on 11 June 2008, which calls on all Member States to increase cooperation in monitoring the international trade in chemicals, particularly acetic anhydride, and urges all States to implement that resolution without delay.

Mr. Chairman,

At its fifty-first session, the Commission on Narcotic Drugs approved draft resolution II entitled "Provision of international assistance to the most affected States neighbouring Afghanistan". The resolution commends regional initiatives to strengthen international and regional cooperation aimed at countering the threat posed by the illicit production of drugs in Afghanistan. I urge the Council to adopt the resolution put forward by the Commission.

The international community has an important role to assist the Government of Afghanistan in its efforts. An important event in this regard was the international conference in support of Afghanistan, organized by the Government of France and held in Paris on 12 June. Some 85 Governments were represented at that Conference, often at the highest levels. It was gratifying for me to experience the enormous support of the international community to assist Afghanistan.

In addressing the burgeoning illicit drug trade, the Government of Afghanistan must take firm measures against corrupt officials at any level of Government who are involved in illicit drug activities. Widespread drug-related corruption among officials at various levels of Government impedes progress on the drug problem and eventually, economic development of the country.

I intend to visit Afghanistan before the end of the year to see what progress has been made. Article 14 of the 1961 Convention remains invoked until there is a marked improvement.

Mr. Chairman,

West Africa has rapidly developed into a major smuggling route for cocaine from Latin America through and into Europe. Interpol estimates that between 200 and 300 tons of cocaine make their way into Europe, mainly through West Africa, where cocaine is stockpiled and repackaged for transport. Significant quantities of cocaine have been seized in Benin, Cape Verde, Guinea-Bissau, Mauritania and Senegal. Cocaine is transported by air also to countries in Southern Africa for local abuse. Some African countries report an increase of cocaine abuse. In South Africa, for example, data from treatment centres indicate that cocaine abuse is increasing throughout the country.

Many African countries do not have the means to counter this challenge. Often, the street market value of the cocaine seized exceeds the annual budget of law enforcement authorities. The Board therefore urges Governments to assist African countries in forestalling this ominous development.

Mr. Chairman,

Country missions are an important part of the dialogue between Governments and the Board. These visits are carried out to examine the national drug control situation and measures adopted by Governments to implement the provisions of the international drug control conventions. Missions also allow the Board to familiarize itself with the actual situation of a particular country through access of first-hand information and discussion with relevant Ministers.

In 2007, the Board sent missions to Bhutan, Bolivia, Bosnia and Herzegovina, Colombia, Congo, Liberia, Nepal, Republic of Korea, United Kingdom and Viet Nam.

Mr. Chairman,

Almost exactly ten years ago, in June 1998, more than 150 Governments met in a Special Session of the General Assembly on countering the world drug problem together. The meeting was an extraordinary expression of the will of the international community to address the drug issue in a balanced, integrated and comprehensive manner. In addition, the international community set concrete goals and targets aimed at significantly reducing the world drug problem by 2008. These goals and targets have been met to varying degrees by Governments.

The Board has been assessing the progress Governments have made, in line with its mandate. A preliminary report by the Board was submitted to the Commission on Narcotic Drugs in March 2008. The report highlights achievements but also identifies the shortcomings and remaining challenges of the problem. The Board continues to examine this issue and will launch a comprehensive report in 2009, well before the high-level segment of the Commission on Narcotic Drugs meets to discuss that issue.

Mr. Chairman,

The year 2009 will be a significant one for international drug control as it makes one hundred years of drug-related multilateralism. The situation that faced the international community in 1909 was extremely difficult. A large unregulated market for all highly addictive substances, particularly opium, had developed over time and brought about a significant problem of opium abuse, mostly in China but also in other countries in the world, where opium and its derivatives were freely abused in so-called opium dens or opium joints, as they were known in New York City. Valiant efforts by the Government of China to curb the availability of opium and its subsequent abuse did not produce the desired results.

The International Opium Commission, which was convened in Shanghai, China, in February 1909, marked an end to the global indifference about the drug problem and was followed by series of multilateral agreements to address the cultivation, manufacture, trafficking and abuse of opium and other narcotic drugs. The efforts of the international community culminated in the international drug control treaties that are the framework for current action in international drug control.

The Commission on Narcotic Drugs has called on Member States and civil society to commemorate 100 years of international drug control on 26 February 2009, which marks 100 years after the conclusion of the International Opium Commission. The Government of China will host an event to commemorate and celebrate this important centennial. I call on everybody involved in drug control, Governments, intergovernmental organizations, civil society and the public at large to celebrate this central event. Whatever challenges remain, they dwarf the problems that the international community faced almost hundred years ago.

Thank you for your attention.