

1998 substantive session of the Economic and Social Council

Statement by Professor Hamid Ghodse
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Mr. Chairman, distinguished delegates,

The Board participated in the Special Session of the General Assembly on the World Drug Problem in June. It therefore witnessed this landmark event at which an impressive number of Heads of State or Government and other high-level Government representatives gathered to reaffirm their political will to fight against drug abuse and illicit trafficking. The Political Declaration and the Action Plans emanating from that event are founded on global consensus and commitment at the highest level.

The follow-up to this session will now be crucial. As Governments have stated themselves in the Political Declaration: " We are resolved that commitments must be met by action and resources needed to ensure real and measurable results", and action must be taken to ensure that tangible results can be achieved. Now is an opportunity for Governments to show that they are serious about their international commitment by implementing the action plans fully and conscientiously. Implementation should start immediately, so that in two years' time, when the Commission on Narcotic Drugs carries out its first analysis of the progress made in the implementation of the action plans, it will be in a position to make a positive assessment, on the basis of comprehensive reports received from all Governments.

The Commission on Narcotic Drugs has been entrusted with a pivotal role in this process and I expect that it will fulfill this role to the letter. In its analysis, the Commission should acknowledge achievements and successes and support them. On the other hand, it must not shy away from offering constructive criticism and pointing to shortfalls or shortcomings in the implementation, if and when they exist. Through its monitoring of the international drug control treaties, the Board will cooperate with the Commission in this challenging task. The action plan as adopted by the General Assembly will serve the Board as a kind of checklist to assess the progress made and the problems encountered by Governments in implementing the international drug control treaties.

The laudable action plans adopted by the General Assembly should not lead to a situation where essential treaty functions are neglected. The Board is concerned about the drug control situations in several countries and has, for the first time in its 30-year history, had to resort to article 14 of the 1961 Convention and article 19 of the 1971 Convention which would ultimately lead to a recommendation by the Board to ECOSOC to ban imports and exports of narcotic drugs and psychotropic substances to those countries. At this stage, however, I can inform you that there are positive signs in all of the countries concerned that drug control measures and cooperation with INCB have been improved so that INCB trusts that it may not have to call the attention of the Council to these countries

and situations. If the Board calls the attention of the Council to a particular situation in a country, the Council would have to make the decision on the final course of action.

Decisive and concerted action is necessary if we are to be successful in our desire to work towards a society where drug abuse does not exist. This includes participating in the public debate on drug abuse and responding to criticism that is sometimes levelled at international drug control efforts.

The United Nations has sometimes been accused of not achieving progress in this area. This of course is not true. But, unfortunately, drug abuse continues to plague many people in many parts of the world. Similarly, the United Nations has not been able to stop the abuse of human rights. But does this absence of complete success mean that the problem would be easier to solve if our standards are relaxed? It has never been suggested that the international human rights standards set by the States assembled at the United Nations should be lowered. On the contrary, the ideals outlined in the Universal Declaration of Human Rights and other human rights instruments have set an internationally recognized standard that the family of nations aspires to achieve. Abandonment of these standards would signify moral defeat. It would make life easier but what kind of a life would that be?

The Charter of the United Nations makes repeated references to human rights and fundamental freedoms. Its preamble reaffirms faith in (and I quote) " fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small". Human rights and fundamental freedoms are universal and indivisible. They must be respected and protected at all times.

The right to be free of drug abuse and the right to be protected from drug abuse is a human right which should be respected by all people. It is particularly important that

this protection is extended to the most vulnerable of our society, our young people. Article 33 of the Convention on the Rights of the Child requires States to undertake measures to protect children from drug abuse and from being involved in their production or distribution. As you all know, this Convention has been ratified by all States in the world, except two, and it is thus the most widely ratified international human rights treaty. The often heard allegation that drug abuse is a human right is therefore false. Drug abuse can hardly be called a "victimless" crime and causes serious damage to both individuals and society. It is clear that, in a world where personal freedom, democracy and openness are highly valued, drug control policies cannot be carried out at the expense of human rights and respect for the rule of law. Drug control policies will therefore have to strike the right balance between the extremes of outright repression and permissiveness. We must do our part to make this a reality.

Mr. Chairman,

Finally, I would like to report to you on a procedure adopted by the Board at its last sessions in order to ensure that the requirements of impartiality and disinterestedness are

fulfilled at all times. At the time of presentation of candidates to the Council, it is the responsibility of the nominating Governments to ensure that their candidates conform to the requirements of impartiality spelled out in article 9 of the 1961 Convention. I am glad to inform the Council that the Board has now instituted an internal procedure whereby the impartiality and disinterestedness of its members are guaranteed throughout their stay in the Board. Thus, the independence of the Board and its credibility are further strengthened.

Thank you for your attention.