

Economic and Social Council
Substantive Session for 2009
General segment

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

Statement by Professor Sevil Atasoy
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30 July 2009

Madam President, Excellencies, Ladies and Gentleman

It is a great pleasure and an honour for me to report to the Economic and Social Council (ECOSOC) about the work of the International Narcotics Control Board (INCB) for the year 2008.

But before doing so, I would like to congratulate Ambassador Sylvie Lucas of Luxembourg, President of ECOSOC and other members of the Bureau as well as to extend to them the Board's best wishes for a successful outcome of your deliberations.

Madam President,

Over the past twelve months, the Board was engaged in various activities, most notably the commemoration of the centennial of the International Opium Commission of 1909 in Shanghai, the participation of the Board in the follow-up process to the 1998 General Assembly Special Session on the World Drug Problem (UNGASS) which culminated in the high-level segment of the Commission on Narcotic Drugs held in March 2009, and of course the Board's normative activities.

Madam President,

The annual report of the Board for 2008 was officially launched in Vienna and some 20 other countries, in February 2009. The annual report and the Board's report on the implementation of article 12 of the 1988 Convention were discussed during the fifty-second session of the Commission on Narcotic Drugs. The Board also published a special report on the follow-up to the Special Session of the General Assembly on the world drug problem.

Madam President,

Since 1992, the first chapter of the report has been dedicated to a topical issue, which is of particular concern to the Board. This year the first chapter evaluates the achievements and challenges of the three drug control Conventions, namely the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

Multilateral drug control should be acknowledged as one of the 20th century's greatest achievements. Over 95 per cent of United Nations Member States covering 99 per cent of the world's population, have agreed to be bound by the provisions of the conventions. The licit control system has managed to absorb the significant increase of the number of substances controlled under the Conventions and the continuously rising licit demand for narcotic drugs and psychotropic substances. Despite the ever-increasing scope of the international drug control system, diversions of narcotic drugs and psychotropic substances from the licit to the illicit market are virtually nonexistent. The 1988 Convention has facilitated the implementation of measures such as judicial cooperation, extradition, controlled deliveries and measures against money-laundering. It has also made it mandatory for States to control and monitor certain precursors, in other words, chemicals and solvents frequently used in illicit drug manufacture. These are achievements that cannot be over-emphasized.



However, Madam President, to claim that challenges do not exist would be to negate reality. One example is the low licit consumption of opioid-based medications, which has been a concern of the Board for some time. Although the World Health Organization (WHO) considers the access to controlled medicines, including morphine and codeine, to be a human right, it is virtually non-existent in over 150 countries. The WHO estimates that at least 30 million patients and possibly as many as 86 million annually suffer from untreated moderate to severe pain.

Madam President,

This is an important issue of public health, one that deserves special mention, particularly at a time when the deliberations of the Council focus on global public health.

Despite the existence of plentiful supplies of opiate raw materials to meet global needs, many governments do not ensure the wider availability of the essential medicines that derive from them. A survey of Governments, carried out by the Board in 2007, identified the reasons for this underutilization. The results show that concerns over addiction is the factor that is most frequently cited as having the greatest impact on the availability of opioids for medical needs. Other issues, such as insufficient training of health-care professionals and the existence of restrictive laws also play a significant role.

The Board calls on Governments to establish policies to make these substances available for medical purposes and to support the Access to Controlled Medications Programme, which is being implemented by the World Health Organization, an initiative in which the Board is an active participant.

Madam President,

The second chapter of the report deals with the normative aspects of the Board's work, with an emphasis on the operation of the international drug control system, as well as any challenges and possible remedial actions.

In recent years, there has been a marked increase in the smuggling of cocaine consignments from South America through West Africa into Europe. The Board has serious concerns that drug trafficking will undermine political, economic and social structures in West African countries, weaken the control of Governments over their territories and institutions and will have a significant impact on the drug control situation not only at the national level, but also at the regional and international levels.

As cocaine trafficking has increased, the abuse of the drug has also increased in West Africa, which is a matter of serious concern, particularly in view of the fact that, in many of those countries, law enforcement and judicial capacity is inadequate, and demand reduction programmes have yet to be developed.

The Board calls upon the international community to provide Governments of countries in West Africa with all the assistance necessary to address the problem.

Madam President,

Another development of concern is the continued illegal sale of internationally controlled and uncontrolled substances over the Internet. While the Board recognizes that purchasing pharmaceuticals online is beneficial, especially in areas where hospital and pharmaceutical services are widely dispersed, so-called Internet pharmacies that sell pharmaceutical preparations without the necessary prescription continue to flourish and pose a significant risk.

The Board, convinced that a coordinated global response is needed to address the illegal sale of drugs on Internet pharmacies and websites, has developed together with national experts, experts from international organizations such as the Universal Postal Union (UPU), International Criminal Police Organization (ICPO/Interpol), World Customs Organization (WCO), Internet service providers, financial services and pharmaceutical associations, the Guidelines for Governments on Preventing Illegal Sales of Internationally Controlled Substances through the Internet. The Guidelines include recommendations promoting measures to facilitate national and multilateral cooperation, on legal steps such as the

registration and licensing of Internet pharmacies and on campaigns to raise public awareness of the risks involved in online purchases.

Madam President,

In the past two years, the Board has collected information from Governments on the misuse of courier services by drug traffickers. The information received shows that this type of illicit activity occurs in all regions. The Board encourages all Governments to increase their vigilance with regard to cases involving the misuse of courier services for drug smuggling, to adopt measures to effectively counter that illicit activity and to cooperate regional and internationally.

Madam President,

Since 2004, the Board has drawn the attention of Governments to the problem of trafficking in and abuse of ketamine, a potent anaesthetic, which is currently not under international control. The Board welcomed the adoption of important resolutions by the Commission on Narcotic Drugs on ketamine and called on all Governments to implement them without delay. In addition, the Board requested all Governments to provide it with information including measures to control ketamine and on ketamine imports, exports, seizures, abuse and trafficking. In order to facilitate the verification by Governments of the legitimacy of imports and exports of ketamine, the Board is publishing information on measures introduced by Governments for the control of ketamine, notably information on the national requirements already in place in individual countries for import and export authorizations for ketamine. The Board encourages all Governments to consult that information before authorizing imports or exports of ketamine.

Madam President,

The third chapter of the Board's annual report for 2008 examines the implementation of the drug control treaties at the national and international level, based on Government reports and on information supplied by United Nations entities such as United Nations Office on Drugs and Crime or the World Health Organization. Let me take this opportunity to thank also other bodies cooperating with the Board including non-governmental organizations.

Country missions are also an important part of the dialogue between Governments and the Board. They allow the Board to familiarize itself with the actual situation of a particular country through access of first-hand information and discussion with relevant officials. In 2008, the Board sent missions to Ethiopia, Japan, Mauritius, Romania, United Arab Emirates and Ukraine, a very small number of countries compared with 180 countries parties to the treaties.

Based on the analysis of the compiled information, the Board makes recommendations to Governments, to regional and international and regional organizations and the last chapter of the annual report, is devoted to key recommendations.

Madam President,

The preamble to the Single Convention on Narcotic Drugs, 1961, states that the Parties to the Convention are "concerned with the health and welfare of mankind" and are "conscious of their duty to prevent and combat" the evil of drug addiction. Bearing this primary goal in mind, the Board reiterates the importance of drug demand reduction strategies and encourages Governments to make greater investments in preventing drug abuse, especially with regard to youth and vulnerable groups and to utilize the experiences and best practices tested in a variety of settings. The Board also encourages the Governments to devote more resources for the treatment of drug addicts, which should be both in line with sound medical practice and the international drug control conventions.

Madam President,

I would also like to touch upon the Board's 2008 report on the implementation of article 12 of the 1988 Convention. Ten years after the twentieth special session of the General Assembly, Governments and INCB have successfully worked together to tackle many of the

problems related to precursor control. The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 has achieved near-universal adherence. But the Board remains concerned that half of the countries in Oceania have not yet ratified the Convention, which is an obstacle for the achievement of the goals in precursor control.

International cooperation is crucial in drug control and the rapid exchange of information on shipments of precursors is the most effective way to prevent diversion. In this connection, it is encouraging to note that 105 Governments now participate in the online system for the exchange of pre-export notifications (PEN Online). The Board appreciates the fact that Security Council Resolution 1817 (2008) urges Governments that have not yet done so to register with and utilize the system.

The Board continues to support international initiatives in precursor control, such as Project Cohesion and Project Prism. The work of the task forces of those projects and international operations for monitoring chemical shipments and coordinating investigations have led to seizures and stopped shipments, as well as to the identification of trafficking networks. During 2007 and 2008, there has been a significant increase in seizures of acetic anhydride, a key chemical for the illicit manufacture of heroin. International cooperation has resulted in preventing acetic anhydride from reaching clandestine heroin laboratories in Afghanistan and, as a result, the black market price for the substance has increased. Similarly, successes have been achieved in the prevention of diversion of chemicals used in the illicit manufacture of amphetamine-type stimulants. In 2008, shipments of 50 tons of ephedrine and pseudoephedrine were prevented from falling into the hands of traffickers. That quantity of chemicals would have been enough to illicitly manufacture approximately 40 tons of methamphetamine, one of the most dangerous drugs abused today in the world.

Similar experience gained and the results achieved in targeting heroin and methamphetamine precursors, need to be developed and applied particularly in the Americas, where chemicals continue to be used in the illicit manufacture of cocaine.

Madam President,

The most common source of chemicals and materials used for the illicit manufacture of drugs is diversion from the licit trade. Therefore, voluntary and close cooperation with various industries is crucial for an effective control. The Board has developed guidelines for the designing of a voluntary code of practice for the chemical industry and encourages Governments to use this code as a supplement to mandatory controls.

Madam President,

The international drug control system has stood the test of time with credit, but it is not perfect. It is undoubtedly capable of improvement; for that reason, there are procedures for its modification. It is within the rights of parties to the treaties to propose that the treaties be modified.

The Government of Bolivia has exercised this right and requested that parts of article 49 of the 1961 Single Convention on Narcotic Drugs which relate to coca-leaf chewing be amended. Until a decision is taken to amend or reject any parts of the Conventions, all parties to the Conventions, including Bolivia, are bound by the provisions of the conventions. The Board will continue to encourage the Government of Bolivia to meet all its obligations under the 1961 Single Convention on Narcotic Drugs.

Madam President,

In concluding, allow me to state that the relationship between the Board and the Council has always been close. In May, the Council elected five new members to the Board and before the end of the year, the Council will have to elect a member to replace an outgoing member. I thank the Council for its unfailing support to the Board.

Thank you.