



Economic and Social Council

Provisional

15 October 2010

Original: English

Substantive session of 2010

General segment

Provisional summary record of the 44th meeting

Held at Headquarters, New York, on Thursday, 22 July 2010, at 10 a.m.

President: Mr. Soborun (Vice-President) (Mauritius)

Contents

Coordination, programme and other questions (*continued*)(d) Long-term programme of support for Haiti (*continued*)

Social and human rights questions

(b) Social development*

(c) Crime prevention and criminal justice*

(d) Narcotic drugs

(e) United Nations High Commissioner for Refugees*

(f) Comprehensive implementation of the Durban Declaration and Programme of Action*

(g) Human rights*

(h) Permanent Forum on Indigenous Issues*

* Sub-items considered together.

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

10-46063 (E)



Please recycle The recycling symbol, a triangle of arrows forming a circle.

In the absence of Mr. Ali (Malaysia), Mr. Soborun (Mauritius), Vice-President, took the Chair.

The meeting was called to order at 10.30 a.m.

Coordination, programme and other questions

(continued)

(d) Long-term programme of support for Haiti

(continued) (E/2010/L.27)

1. **Mr. Morrill** (Canada), introducing the draft resolution on behalf of the original sponsors and Colombia, the Czech Republic, Israel and Morocco, said that for the first time, the Advisory Group's mandate would be extended for two years, and it had been slightly modified to take into account the situation after the disaster in Haiti.

2. The draft resolution took note of new national and international partners, including the Interim Haiti Recovery Commission, and welcomed initiatives on the humanitarian and reconstruction fronts and pledges of assistance made at meetings in New York and Punta Cana.

3. **Mr. Tommo Monthe** (Cameroon) said that Cameroon wished to join the sponsors of the draft resolution.

Social and human rights questions (E/2010/91-A/64/803)

(b) Social development (E/2010/26; E/2010/NGO/17, 41 and 52)

(c) Crime prevention and criminal justice (E/2010/30 and Add.1, and E/2010/10)

(d) Narcotic drugs (E/2010/28 and Add.1; E/INCB/2009/1)

(e) United Nations High Commissioner for Refugees (E/2010/86, 87, 94, 95 and 96)

(f) Comprehensive implementation of the Durban Declaration and Programme of Action

(g) Human Rights (A/65/41; E/2010/22 and E/2010/89; E/2010/L.16; E/2010/NGO/19)

(h) Permanent Forum on Indigenous Issues (E/2010/43)

4. **Mr. Šimonović** (Assistant Secretary-General for Human Rights, Head, New York Office of the United Nations High Commissioner for Human Rights

(OHCHR)), introducing the report of the High Commissioner for Human Rights to the Economic and Social Council (E/2010/89), said that the report drew attention to the human rights of migrants in the context of development.

5. Many migrants suffered from human and economic, social and cultural rights abuses that took the form of discriminatory practices. Moreover, they lived beyond the reach of the legal protection of their country of origin. Migrants were often driven to leave their homes by poverty, the global economic downturn, climate change and food insecurity.

6. States must protect migrants from abuse through legislation and policies guided by a human-rights approach. Human rights, including labour rights, applied to all migrant workers, regardless of their status. Migrants must be given access to emergency and primary-health care.

7. Migrants' access to economic, social and cultural rights was not a matter of charity, and migrants were entitled to have their human rights protected and fulfilled wherever they were, regardless of their legal status.

8. The Office of the High Commissioner for Human Rights would make the issue of migration its priority during the following two years. It would focus on xenophobia, racism, exclusion and intolerance of migrants; on their economic, social and cultural rights; on criminalization of irregular migration; and on detention of migrants. The Office would lead efforts to promote and mainstream a human-rights approach to migration within the United Nations system.

9. **Mr. Vilović** (Croatia) said that he welcomed the Assistant Secretary-General in his new capacity, sure that his past experience as President of the Council would be brought to bear in making the human-rights agenda more visible and relevant, and in ensuring greater coherence with the Geneva-based Office of the High Commissioner for Human Rights. Efforts must be stepped up to accelerate progress towards the Millennium Development Goals with a holistic approach that recognized the indivisibility of all human rights.

10. **Mr. Janz** (Director, New York Office of the United Nations High Commissioner for Refugees (UNHCR)), reporting orally on coordination aspects of the work of the Office, said that UNHCR needed

stronger partnerships in the face of shrinking humanitarian space and the impact of global crises, urbanization, food and water scarcity, insecurity and shortages of natural resources.

11. UNHCR had participated actively in the Inter-Agency Standing Committee, helping to develop new policies and advancing humanitarian reform. In the field of internally displaced persons, the Office continued to lead the protection, emergency shelter, and camp-coordination and camp-management clusters. The Office worked hard to contribute to improved management of the Central Emergency Response Fund and worked with the United Nations Children's Fund (UNICEF), the World Food Programme (WFP) and representatives of the non-governmental organization (NGO) consortia to simplify and harmonize partnership agreements. It continued to support the Standing Committee in efforts to improve the humanitarian coordinator system. UNHCR also worked in the areas of climate change, action against sexual violence in conflict, the rights of persons with disabilities and the systematic inclusion of activities that targeted displaced populations, host communities and return areas in joint United Nations development efforts, such as development-assistance frameworks.

12. The Office maintained and developed bilateral relations with such key partners as WFP, UNICEF, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Population Fund (UNFPA), the International Organization for Migration (IOM), the International Committee of the Red Cross (ICRC) the International Federation of Red Cross and Red Crescent Societies (IFRC), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and members of the NGO consortiums to protect and assist populations of concern to UNHCR. The Office had worked in the area of the rights of displaced women and the protection of trafficked persons. It had signed a memorandum of understanding with the Alliance of Civilizations to promote cross-cultural understanding and reconciliation among cultures. UNHCR had provided personnel and non-food items to support the population affected by the earthquake in Haiti in January 2010.

13. UNHCR, in coordinating with NGOs, had increased its expenditure through NGOs to a total of \$486 million. Nearly 80 per cent of the implementing partners of UNHCR were local and national

organizations. They constituted a cornerstone of the delivery capacity of the Office owing to their comparative advantages in geography, social context, knowledge of populations in need of assistance and ease of access to people in need. The Office had continued to cooperate with NGOs in the area of women and girls at risk and the rights of children.

14. **Mr. Ghodse** (President, International Narcotics Control Board), introducing the annual report of the Board (E/INCB/2009/1), said that the focus of the first chapter was primary prevention of drug abuse, crucial to initiatives to reduce the demand for illicit drugs, which was an obligation for Governments under the 1961 Single Convention on Narcotic Drugs. The Board called on policymakers to establish focal points for prevention and to improve cooperation between all Government bodies involved. Partnerships with civil society were also required at all levels to reduce the rates of drug use.

15. The second chapter of the Board's report described its normative work, focusing on the operation of the international drug-control system. The Board had sent missions to several countries to familiarize itself with the actual situations there. Adequate control measures had been implemented to restrict narcotic drugs and psychotropic substances to medical and scientific uses. However, the Board was concerned that some States parties, in measures often adopted at the state or provincial level, were allowing the use of "safer crack kits", the "medical" use of cannabis and the establishment and operation of "drug consumption rooms". That could raise social and legal tolerance of drug abuse and trafficking and violate international drug-control treaties.

16. Governments were encouraged to improve access to opioid medications through the realistic assessment of needs for controlled substances for medical and scientific purposes. The Board had brought the problem of prescription-drug abuse to the attention of Governments and the public. It was concerned about the risk to public health of Internet pharmacies selling medications without prescriptions and had prepared and disseminated *Guidelines for Governments on Preventing the Illegal Sale of Internationally Controlled Substances through the Internet*.

17. Psychotropic substances continued to be diverted and challenges must be addressed in that area, particularly regarding the illicit manufacture of

amphetamine-type stimulants; the substitution of uncontrolled substances for drugs that were difficult to obtain; the diversion from domestic distribution of psychotropic substances; and the over-consumption of psychotropic substances for uses that could not be described as legitimate medical conditions.

18. The control of precursor chemicals faced challenges related to new approaches taken by illicit operators to evade controls. Vigilance and the exchange of information on new developments were critical and the Board offered a number of tools to Governments, including on-line monitoring of the international trade in scheduled chemicals; indications of legitimate precursor chemical requirements; and a list of non-scheduled substances known to be used in illicit drug manufacture. Guidelines for a Voluntary Code of Practice for the Chemical Industry were also available.

19. Despite successes in reducing the availability of precursor chemicals owing to international collaborative initiatives and the exchange of information, acetic anhydride and potassium permanganate remained available to illicit manufacturers of heroin and cocaine.

20. The Board presented its analysis of the world situation in the third chapter of its report. Afghanistan was the world's largest illicit producer of opium, accounting for 90 per cent of global heroin supply. The Afghan authorities were responsible for implementing international conventions but the Board recognized that that must be a shared responsibility. It had called on the international community to create a broad-based anti-drug coalition and had emphasized that the international drug-control treaties provided a platform for that global initiative to address the global threat from Afghan heroin.

21. Cocaine, produced in Bolivia, Colombia and Peru, was trafficked to North America and Europe through Central America and West Africa, respectively, and an increasing amount of cocaine was being directed to the Southern Cone of South America. The traffic was a serious threat to the international community.

22. Illicit drugs rendered fragile States vulnerable and posed obstacles to achievement of the Millennium Development Goals. West Africa had been targeted as a transit area for cocaine from South America to Europe. West Africa, the Sahel and parts of Central America

and Mexico illustrated the dangers of drug trafficking to security and even the sovereignty of States. Of the 34 countries least likely to achieve the Goals, 22 were experiencing or emerging from conflict in regions that were centres for drug cultivation and trafficking.

23. **Ms. Monasebian** (United Nations Office on Drugs and Crime (UNODC)), introducing the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/2010/10), said that the report, which covered the period from January 2004 to December 2008, confirmed a very marked trend towards abolition and restriction of the use of capital punishment in most countries. The rate at which States that retained the death penalty at the start of the period had abolished its use, in law or in practice, was comparable with that of previous reporting periods, and might even have accelerated slightly. Moreover, countries that retained the death penalty were, with rare exceptions, significantly reducing its use in terms of numbers of persons executed and the crimes for which it could be imposed.

24. The report showed an increase in the number of fully abolitionist States and territories, in other words those that had abolished the death penalty for all crimes, from 79 to 95 over the five-year period. The number of States that were abolitionist for ordinary crimes had declined from 12 to 8; the number of de facto abolitionist retentionist States, namely those that retained the death penalty in their legislation but had not enforced it for at least 10 years, had increased from 41 to 46; and the number of retentionist States and territories — those where executions had taken place in the 10 years prior to 1 January 2004 — had declined from 62 to 47.

25. A notable development during the reporting period had been the adoption of General Assembly resolutions 62/149 and 63/168, both entitled "Moratorium on the use of the death penalty", with considerable support from both abolitionist and retentionist States. There had also been an increase in ratifications of relevant international instruments, such as the Second Optional Protocol to the International Covenant on Civil and Political Rights, as well as pertinent regional conventions and protocols. To date, a total of 81 States had bound themselves to the abolition of capital punishment by ratifying or acceding to an international treaty.

26. However, the report stressed that where capital punishment remained in force, there were serious problems with regard to respect for international standards. Whereas the Commission on Human Rights, in its resolution 2005/59, had called on States to ensure that the notion of “most serious crimes” did not go beyond intentional crimes with lethal or extremely grave consequences, the Special Rapporteur on extrajudicial, summary or arbitrary executions, in communications with Governments, had addressed death sentences for a wide range of other offences and conduct, including sexual conduct, religious practice, economic offences and drug possession or trafficking.

27. Both the United Nations High Commissioner for Human Rights and the Executive Director of UNODC had condemned the application of the death penalty to those convicted solely of drug-related offences. A few States also continued to execute persons for offences committed while under age 18, despite the strict prohibition on capital punishment in such circumstances. Furthermore, conditions on death row were often appalling and tended to aggravate suffering rather than minimize it. The report also highlighted serious problems with fair-trial guarantees, and the importance of the concept of presumption of innocence. The role of international monitoring bodies and tribunals in ensuring compliance with the safeguards guaranteeing protection of the rights of those facing the death penalty was becoming increasingly important, although their decisions were not always implemented.

28. The report, which also contained a number of recommendations based on its findings, had been presented to the Commission on Crime Prevention and Criminal Justice at its nineteenth session, in the course of which a number of speakers had commended the quality of the report and requested that the Secretariat should continue to produce quinquennial reports in accordance with relevant Council resolutions. Concern had been expressed, however, at the lack of adherence by some States to the safeguards.

29. **Mr. Lukiyantsev** (Russian Federation) said that the Permanent Representative of the Russian Federation had sent a letter to the Secretary-General on 15 June 2010 regarding the information presented in table 4 of the annex to the Secretary-General’s report (E/2010/10); a footnote to that table indicated that executions had ceased in the Russian Federation in 1996, with the exception of Chechnya, where they had

been reported as recently as 1999. His delegation, convinced that the death penalty could be applied only by a sovereign Government, following a trial by a competent court in accordance with national legislation, was unable to accept such a portrayal of the situation. There had been a moratorium on capital punishment in the Russian Federation since 1996 and the death penalty had not been applied since that year.

30. The executions in Chechnya to which the report referred were in fact killings carried out by Chechen separatist rebels in Chechen territory, which were being investigated and prosecuted by the Government of the Russian Federation. His delegation had therefore requested that the matter should be clarified and the report corrected. Until the issue was resolved, his delegation would be unable to take note of the Secretary-General’s report.

31. **The President** suggested that consideration of the report (E/2010/10) should be postponed until the following day.

32. *It was so decided.*

33. **Ms. De Geest** (Belgium), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Georgia, Iceland, Liechtenstein, Norway, the Republic of Moldova and Ukraine, and referring to sub-item (c), said that the ever-growing threat of transnational organized crime required a holistic and integrated approach at all levels and could only be countered via improved law enforcement and judicial cooperation. For its part, the European Union had adopted the Stockholm programme with a view to facilitating police and judicial cooperation among partner countries.

34. The European Union called for the universal ratification of the United Nations Convention against Organized Crime and advocated a strong, effective review mechanism and enhanced international cooperation, helping to gather reliable and consistent information on the implementation of the Convention and its Protocols and to combat transnational organized crime more efficiently.

35. The European Union noted with satisfaction the adoption of a review mechanism by the States parties

to the United Nations Convention against Corruption, particularly elements including the participation of the civil society, country visits and the availability of country-review reports.

36. The European Union praised the Twelfth United Nations Congress on Crime Prevention and Criminal Justice. It had been a good occasion to exchange information, experiences and best practices. The Congress had also adopted a Political Declaration. The European Union welcomed the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

37. With regard to capital punishment, the European Union favoured the continuation of quinquennial reports, as called for by the Council. The Union reiterated its opposition to the death penalty and promoted a moratorium on execution as a first step towards its abolition and thus towards an enhancement of human dignity and the progressive development of human rights.

38. Addressing sub-item (d), she said the European Union welcomed the reports of the Commission on Narcotic Drugs and the International Narcotic Control Board (INCB). It reaffirmed its commitment to respond to the world drug problem via an integrated, multidisciplinary, mutually reinforcing and balanced approach between drug-demand and drug-supply reduction. There must be shared responsibility and proportionality, consistent with the principles of dignity and human rights for all those affected by the world drug problem.

39. The United Nations Office on Drugs and Crime (UNODC) was essential in ensuring an effective response. The UNODC strategy for the period 2008-2011 provided a comprehensive framework to that end. Coordination on a global level was particularly important in light of the economic crisis.

40. The European Union welcomed recent changes in UNODC policy and management. United Nations Member States must work in a pragmatic, result-oriented, efficient and cooperative manner in order to strengthen the performance of UNODC and achieve its long-term global strategy.

41. The European Union Drug Action Plan 2009-2012 included measures of alternative development with respect to the diversion of precursor chemicals.

The European Union stressed the need for regional, international and multilateral approaches and for shared responsibility, and had, to that end, submitted three resolutions to the Commission on Narcotic Drugs.

42. The European Union commended the Control Board for its 2009 report and its activities to promote the universal application of the international drug treaties. The European Union shared the global concern about the increasing impact of drugs on political and socio-economic stability and their implications for health, safety and security. In that regard, it praised the commitment of the Commission to eliminate or significantly reduce the global illicit-drug supply and demand by 2019.

43. The European Union called on the United Nations system to continue to assist States with technical expertise and assistance. Initiatives should be taken to improve the skills and experience of national experts and build institutional capacity, including data collection and analysis.

44. The European Union attached great importance to an increased emphasis on the promotion of human rights in that area.

45. Turning to sub-item (b), she said that States must assume responsibility to stimulate employment and prevent job losses, particularly given the current economic climate. A strong political commitment was needed to achieve social protection, which acted as automatic economic stabilizers and cushioned the social impact of the economic downturn. The policies must be universal, adaptable and efficient, but also motivating and financially sustainable.

46. The European Union supported the social-protection floor being developed by the International Labour Organization (ILO), which should provide a minimum income and livelihood security for poor and vulnerable populations and facilitate access to essential services, and should be implemented gradually, depending on circumstances in Member States.

47. The creation of favourable conditions for children to develop skills and reach their potential was essential for sustainable growth. Intergenerational transmission of poverty must be broken and child poverty and exclusion combated. To that end, the European Council had formally adopted the Europe 2020 strategy, which would also promote employment and improve

education, while the current 2010 European Year for Combating Poverty and Social Exclusion aimed to raise awareness and recognize the fundamental rights of people experiencing poverty.

48. The European Union planned to support developing countries in targeting social protection and in coping with the direct social impact of the crises. To that end, it had recently established the Vulnerability Flex mechanism (V-Flex), which provided about €500 million in grant assistance to the most vulnerable countries.

49. **Ms. Kavun** (Ukraine), speaking on sub-item (b), said that her country's main priorities for 2010 were stabilizing the state budget, renewing the labour market, reducing unemployment and developing practical cooperation with ILO under a country programme for 2008-2011.

50. The consideration by the Commission for Social Development of political measures on employment and the social consequences of the crisis was a positive step, as was its adoption of a resolution on promoting social integration. Ukraine welcomed the Commission's adoption of poverty eradication as the priority theme for its next session.

51. It also welcomed the efforts of ILO aimed at overcoming the consequences of the global crisis and considered ILO support an important contribution to the country's integration into the European and global economic system.

52. Addressing sub-item (d), she said that Ukraine shared a comprehensive approach to combating the global drug problem and supported the principles and targets adopted by the General Assembly at its twentieth special session.

53. The Political Declaration and Plan of Action adopted by the Commission on Narcotic Drugs contributed to the effectiveness of cooperation, emphasizing the long term and requiring full transparency as well as financial assistance from international institutions.

54. Drug-demand reduction, prevention, treatment and rehabilitation played a crucial role in combating HIV/AIDS. Ukraine hoped for a successful outcome of the AIDS conference currently being held in Vienna and welcomed its focus on the Eastern European and Central Asian regions.

55. Turning to sub-item (c), she said that Ukraine remained committed to enhancing global cooperation in the elimination of transnational organized crime, terrorism, human trafficking and corruption and to applying the experience of international organizations and other countries.

56. Universal ratification of the Convention on Transnational Organized Crime and its Protocols, a cornerstone of the international regime for combating transnational organized crime, was justly prioritized. The role of UNODC in ensuring their application was key. In that regard, the use of groundless information by certain UNODC officials regarding some Member States was regrettable and threatened the Office's authority. Its studies and assessments should focus on priority issues identified by Member States and be based on official information they provided.

57. Ukraine expressed its satisfaction with the outcome of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and supported the principles and targets adopted at the Congress.

58. Regarding corruption, Ukraine had been taking measures to raise awareness in the public and private sectors and to deal with money-laundering and bribery. It hoped that the next Conference of the State Parties to the Convention against Corruption would help to improve international and national standards to combat corruption effectively on all levels.

59. Given that further development of terrorism-prevention capacities remained an important task for Ukraine, her country appreciated the assistance from the Terrorism Prevention Branch of UNODC.

60. On sub-item (g), she said that the Human Rights Council was the key actor in the international protection of human rights and that the activities of the special-procedures mandate-holders were crucial in reinforcing its status. While the Council and its special procedures must continue efforts to reveal patterns of human-rights violations, treaty bodies should strengthen their activities while avoiding selectivity. It was also essential to begin honest dialogue to assess progress in human rights through adherence to the principles of universality, indivisibility and interdependence.

61. The commitment of the international community to human rights must be strengthened and strategies to prevent violations prioritized. A preventative approach

which would ensure respect for human rights and avert potential violations merited attention. To that end, at the initiative of Ukraine, the resolution on the role of prevention in the promotion and protection of human rights had been adopted by the Human Rights Council.

62. **Mr. Al-Obaidi** (Iraq), speaking on the issue of human rights, said that his Government was honouring its human-rights commitments despite the great challenges the country had faced in the past. It was consolidating the rule of law and building State institutions in order to ensure rights and freedoms for the Iraqi people, promote the participation of women and the role of civil society and curb violence.

63. The principles of equality and non-discrimination; the right to life, security, equal opportunities, personal privacy and participation in public affairs; freedom of expression, association, movement and religion and freedom from torture and slavery; the independence of the judiciary; and the right of men and women to vote and stand for election were upheld under the Constitution and international instruments to which Iraq had acceded.

64. Terrorism was a human-rights challenge in that it targeted innocent civilians as well as economic infrastructure, places of worship and schools. The Government had security plans in place to trace Al-Qaida and other terrorist organizations. It had also adopted a reconciliation project that emphasized national unity and tolerance. A Ministry of Human Rights and other agencies had been established and there were plans to establish a high commissioner for human rights. A transparent procedure had been adopted for the submission of Iraq's reports under the Universal Periodic Review mechanism of the Human Rights Council.

65. His Government paid particular attention to education. It also aimed to achieve prosperity as quickly as possible in order to free Iraqi children from the consequences of war and embargoes and thus to build a country in which democracy and security prevailed and all citizens enjoyed equal rights.

66. **Ms. Velichko** (Observer for Belarus), speaking on the issues of crime prevention and criminal justice, narcotic drugs and refugees, said that the conventions adopted to combat organized crime, trafficking in persons and illicit trade in small weapons as well as agreements on crime prevention and criminal justice had established a solid basis for combating organized

crime in all its forms. The Council should encourage as many States as possible to accede to such instruments and should call on the Council of Europe to help enhance the effectiveness of international efforts to combat crime.

67. Practical steps were being taken to combat transnational organized crime under UNODC programmes against terrorism and money-laundering as well as its regional and technical-assistance programmes. He expected positive results from the meeting of States parties to the Palermo Convention to be held later in 2010.

68. Transnational organized crime was increasingly affecting global development, peace and security. He had therefore welcomed the discussion of the issue by the Security Council in March 2010 and by the General Assembly at its special meeting on crime prevention and criminal justice in June 2010. He hoped that the Salvador Declaration adopted at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice would provide the international community with a strategy for combating transnational organized crime.

69. On the issue of trafficking in persons, the plan of action soon to be adopted by the General Assembly offered the best prospects of achieving the full implementation of international instruments in that area and the effective coordination of efforts by all stakeholders.

70. Regional mechanisms and initiatives, including Operation Channel carried out under the auspices of the Collective Security Treaty Organization, played an important role in combating narcotic drugs. He welcomed the start of the third phase of implementation of the Paris Pact initiative to counter drugs from Afghanistan. At the national level, Belarus was implementing its anti-narcotics programme for 2009-2013.

71. On the issue of refugees, his Government was making systematic efforts to receive and house refugees, help them adapt to their new circumstances and protect their rights. The Office of the United Nations High Commissioner for Refugees had assisted in drafting a new law on refugee status that had taken effect in 2009. An agreement would soon be signed to recognize the legal status of the Office and its staff in Belarus. That agreement, together with a visit by the High Commissioner in 2010, would lead to greater

cooperation between his country and the Office, which he hoped would include joint projects for training on migration and human trafficking.

72. **Ms. Taracena Secaira** (Guatemala), referring to sub-item (h), welcomed the commitment of the Permanent Forum on Indigenous Issues to focus on indigenous children, youth and women. In Guatemala, the Ministry of Labour and Social Services, through its Department of Indigenous Peoples, had established a training course on indigenous rights for public officials and indigenous leaders that would help them to formulate, implement and assess public policies for the promotion of ethnic and cultural diversity.

73. A document outlining a public policy on the elimination of racism had been published in 2008. It was a difficult task: the less structured a society, the greater the social and cultural differences between groups; and racism was often used to justify the domination of one group by another. It also hindered the development of a national identity. Despite the challenges, many Guatemalans favoured the equality of all groups and recognized the need to involve indigenous peoples in the country's development.

74. **Mr. Andrade** (Brazil), speaking on the issue of crime prevention and criminal justice, said that his Government had been proud to host the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in April 2010. It had adopted the Salvador Declaration, which emphasized the international community's concern at the impact of organized crime on human rights, the rule of law, security and sustainable development. The Declaration stressed that crime prevention should be considered an integral element of strategies to foster social and economic development and underlined the importance of a participatory, collaborative and integrated approach to crime-prevention policies.

75. He welcomed, furthermore, the decisions of the Commission on Crime Prevention and Criminal Justice, including on trafficking in persons, trafficking in cultural property and the United Nations Rules for the Treatment of Women Prisoners.

76. **Mr. Rajabi** (Observer for the Islamic Republic of Iran), speaking on the issue of narcotic drugs, said that his country was engaged in full-fledged efforts to combat narcotic drugs. Drug trafficking could be curbed only through concerted international efforts. It was unfortunate that, despite the existence of an

adequate international legal apparatus, the production, consumption and trafficking of narcotic drugs had increased sharply in recent years, with a direct impact on other forms of organized crime.

77. The failure of the international community to resolve the problem of drugs in Afghanistan had made drug trafficking a serious threat. His Government had always favoured proper international and regional cooperation mechanisms to combat drug-related crime. Under the Triangular Initiative of Iran, Afghanistan and Pakistan, a joint planning cell had been established, three joint operations had been conducted in 2009 and 2010, and border liaison offices had been set up to carry out reconnaissance and seize consignments of precursor substances.

78. The Islamic Republic of Iran had devoted billions of dollars and thousands of police officers and troops to the effort. It had strengthened the physical barriers along its eastern border with Afghanistan and had commenced the construction of barriers along its western borders to block the passage of illicit drugs out of the country. Those measures had resulted in the confiscation of massive volumes of narcotics, including 700 tons seized in 2008 and 1,100 tons of opium-based drugs in 2009, 80 per cent of which had been seized on the eastern border.

79. Other actions included participating in Operation TARCET, aimed at preventing chemicals used in drug production from being smuggled into Afghanistan; treating addicts as patients who would receive treatment, rehabilitation and vocational training; cooperating with the International Narcotics Control Board to organize a bank for contributions to foster reconstruction and alternative-development plans in Afghanistan; and implementing the pre-export notification system to monitor imports and exports of controlled substances.

80. **Mr. Rakovskiy** (Russian Federation), speaking on the issue of social development, noted that the Commission for Social Development was the main intergovernmental body coordinating action across a range of social issues. The high-level meeting in February 2010 dedicated to the fifteenth anniversary of the Social Summit had helped spur Governments to further efforts to implement the Copenhagen Declaration and Programme of Action and to achieve the Millennium Development Goals.

81. Despite the global financial and economic crisis, his Government had not cancelled a single social programme. Indeed, it had endorsed a separate project to support vulnerable groups. The elderly received assistance based on the recommendations of the Second World Assembly on Ageing. In 2009 and again in 2010, pensions had increased by a third. As a result of those measures, poverty among the elderly had been eliminated.

82. In preparation for the Russian Federation's ratification of the Convention on the Rights of Persons with Disabilities, efforts were under way to ensure that persons with disabilities had equal opportunities in work and education and had unimpeded access to all buildings and services.

83. The crisis had made it imperative to provide guidance to young people. Taking into account the priorities set out in the World Programme of Action for Youth, policy in the Russian Federation was aimed at helping youth realize their vocational and creative potential, instilling a healthy lifestyle and sense of civic responsibility, and promoting the ideals of peace and understanding among peoples.

84. **Ms. Kwang** Hyun-i (Republic of Korea), speaking on the issues of crime prevention and criminal justice, refugees and human rights, said that there was an ever greater need for international cooperation on crime prevention, particularly given the emergence of new forms of transnational crime. Convinced of the importance of sharing information and best practices, her Government would host the fourth World Summit of Prosecutors General, Attorneys General and Chief Prosecutors in 2011.

85. States should reaffirm their political will and bolster their efforts to protect refugees, particularly since 2011 would mark the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees. In 2009, in a bid to enhance its contribution to the cause, the Republic of Korea had stopped applying the principle of reciprocity in dealing with refugee issues. Given the prospect of a growing influx of refugees and asylum-seekers into the Asia-Pacific region, she called the attention of all Governments in the region to the international norms in that respect, in particular the principle of non-refoulement.

86. Her delegation reaffirmed its commitment to protecting and promoting human rights at home and abroad. The focus must remain on vulnerable groups as

they coped with the impact of the global economic crisis.

87. **Mr. Jaiswal** (India), speaking on the Permanent Forum on Indigenous Issues, said that his Government, in supporting the United Nations Declaration on the Rights of Indigenous Peoples, had expressed its understanding that the Declaration pertained to the rights of peoples in independent countries who were regarded as indigenous because they descended from populations that had inhabited the country, or a geographical region to which the country belonged, at the time of conquest or colonization or when the present State boundaries were established and who, irrespective of their legal status, retained some or all of their own social, economic, cultural and political institutions. That was the definition used in the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries. Accordingly, his Government considered the entire population of India at the time of its independence, and their successors, to be indigenous.

88. In the note by the secretariat of the Permanent Forum on reports received from the United Nations system and other intergovernmental organizations (E/C.19/2010/3/Add.1) and the report of the Inter-Agency Support Group on Indigenous Issues (E/C.19/2010/8), the terms "tribal" and "indigenous" had been used interchangeably in the context of India. His Government reiterated that there was a clear distinction between the two terms; the United Nations system should ensure that it used the correct terminology in all public documents.

89. There had been an increasing tendency at recent meetings of the Permanent Forum for self-styled indigenous groups to make statements and raise issues relating to other minority groups, thus diverting the Forum's attention from its core concerns. There was an urgent need to scrutinize NGOs or groups that claimed to represent indigenous issues before granting them accreditation. Furthermore, the Forum should remain cognizant of its mandate and focus discussions on indigenous issues.

90. **Mr. Momen** (Bangladesh) said that his delegation was concerned by paragraph 141 of the report on the ninth session of the Permanent Forum on Indigenous Issues (E/2010/43), referring to a decision to appoint a Special Rapporteur to undertake a study on the status of implementation of the Chittagong Hill Tracts Peace Accord. While Bangladesh had no

indigenous population, his Government followed the deliberations of the Permanent Forum as an observer. It had noted that Forum members took the words “indigenous” and “tribal” to be synonymous, which was not the case.

91. There were tribal people or people from ethnic minorities living in Bangladesh, mainly in the three hill districts of Chittagong, a region that had experienced unrest some 15 years earlier. The Government of Bangladesh and the representatives of the tribal people living in the Chittagong Hill Tracts had signed the Peace Accord in 1997, and his Government was now implementing it. No legal document of the Government of Bangladesh, including the Peace Accord, mentioned the term “indigenous”. Moreover, the Accord was an internal arrangement intended to improve governance in the region. It had no relation to indigenous issues and, therefore, the Permanent Forum had no basis on which to discuss related issues.

92. Paragraph 141 of the report was therefore in breach of the Forum’s mandate. His delegation requested its deletion and called upon the Forum to refrain from similar actions in the future. His Government would be willing to discuss the Peace Accord in any relevant forum, and was doing so with several of its development partners, but not in the Permanent Forum on Indigenous Issues.

93. **Ms. Tutuhatonewa** (Observer for Indonesia), speaking on crime prevention, criminal justice and narcotic drugs, said that concerted efforts were needed to address emerging crimes such as illegal logging and fishing as well as issues such as trafficking in persons, smuggling of migrants, corruption, money-laundering and cybercrime. She therefore welcomed the Salvador Declaration and the discussion of emerging issues planned for future sessions of the Commission on Crime Prevention and Criminal Justice.

94. A high point in the global fight against corruption had been reached in 2009, when the States parties to the Convention against Corruption had adopted a mechanism to review its implementation. Her delegation would take the same constructive approach at the fifth Conference of the Parties to the United Nations Convention against Transnational Organized Crime, to be held in October 2010.

95. Follow-up of the Salvador Declaration at each session of the Commission on Crime Prevention and Criminal Justice would strengthen the commitment to international cooperation in countering global drug problems. It would also, she hoped, lead to specific

action on emerging drug-related trends and forms of crime, including the cultivation and use of cannabis, the diversion of legal drugs and non-controlled substances such as ketamine, prescription drug abuse, and the illicit manufacture and trafficking of amphetamine-type stimulants.

96. An integrated and balanced approach should be taken to measures to suppress the supply of and demand for narcotic drugs. On the supply side, international cooperation should include the sharing of best practices in alternative-development programmes, border control, intelligence-sharing and training of law-enforcement personnel. On the demand side, measures should be consistent with public health, human rights, social well-being and the relevant laws.

97. The annual reports of the International Narcotic Control Board provided important information on trends in the world drug-control situation and guidance to improve national drug-control strategies, including on primary prevention of drug abuse, which had been emphasized in the 2009 report (E/INCB/2009/1).

98. **Ms. Filiotis** (Observer for Ius Primi Viri) said that key to achieving the Millennium Development Goals would be the resolution of conflicts between women and men, which had dire consequences for their children and for society as a whole. The failure to uphold values and resolve problems led to depression and other psychological problems that could in turn lead to drug and alcohol abuse.

99. To alleviate human suffering, women in particular should be provided with educational opportunities to be trained as trainers who could help to free people of their dependence on such substances and help them realize their human potential. The training would be based on an innovative methodology that allowed individuals to take control of their lives, resolve internal and external conflicts and engage in a dynamic process of self-development. The methodology was being used in areas of conflict in Africa, with the aim of returning participants to a life based on understanding and accepting differences rather than sharing destructive tendencies.

100. She urged Member States to devote greater attention and more financing to the achievement of the Millennium Development Goals and to draw upon the knowledge and abilities of civil society in that endeavour.

The meeting rose at 1 p.m.