



Economic and Social Council

Provisional

3 October 2008

Original: English

Substantive session of 2008

Provisional summary record of the 42nd meeting

Held at Headquarters, New York, on Thursday, 24 July 2008, at 10 a.m.

President: Mr. Hoscheit (Vice-President) (Luxembourg)

Contents

Special economic, humanitarian and disaster relief assistance

Implementation of and follow-up to major United Nations conferences and summits
(*continued*)

(a) Follow-up to the International Conference on Financing for Development
(*continued*)

Economic and environmental questions (*continued*)

(h) International cooperation in tax matters (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial
Countries and Peoples by the specialized agencies and the international institutions
associated with the United Nations (*continued*)

Social and human rights questions (*continued*)

(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

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.



In the absence of Mr. Mèrorès (Haiti), Mr. Hoscheit (Luxembourg), Vice-President, took the Chair.

The meeting was called to order at 10.10 a.m.

Special economic, humanitarian and disaster relief assistance (E/2008/L.28)

Draft resolution entitled “Strengthening of the coordination of emergency humanitarian assistance of the United Nations” (E/2008/L.28)

1. **Mr. Cardoso** (Brazil), introducing draft resolution E/2008/L.28 entitled “Strengthening of the coordination of emergency humanitarian assistance of the United Nations”, said that, although it had not been possible to reach consensus on the text of the draft resolution, the final version nevertheless reflected agreement on a number of important aspects regarding humanitarian assistance.

2. **The President** said that action on the draft resolution would be taken at a later date.

Implementation of and follow-up to major United Nations conferences and summits (*continued*)

(a) Follow-up to the International Conference on Financing for Development (*continued*)
(E/2008/L.16)

Draft resolution entitled “Follow-up to the International Conference on Financing for Development” (E/2008/L.16)

3. **Mr. Khane** (Secretary of the Council) recalled that, when draft resolution E/2008/L.16 entitled “Follow-up to the International Conference on Financing for Development” had been introduced, the penultimate line of paragraph 2 had been revised to read “the Monterrey Consensus following the outcome of the Doha Review Conference.”

4. **The President** said that draft resolution E/2008/L.16 had no programme budget implications.

5. *Draft resolution E/2008/L.16, as orally revised, was adopted.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*) (E/2008/L.17; E/2008/52)

Draft resolution entitled “Support to Non-Self-Governing Territories by the specialized agencies and international institutions associated with the United Nations” (E/2008/L.17)

6. **The President** invited the Council to adopt draft resolution E/2008/L.17, entitled “Support to Non-Self-Governing Territories by the specialized agencies and international institutions associated with the United Nations” and said that Pakistan, Angola, China, Dominica and the United Republic of Tanzania had become sponsors of the draft resolution, which had no programme budget implications.

7. **Mr. Taleb** (Observer for the Syrian Arab Republic), speaking in explanation of vote before the voting, said that the draft resolution was crucial to providing support for people living in countries vulnerable to natural disasters. Indeed, because of their fragile economies, such countries could not develop without the assistance of international organizations. The draft resolution highlighted the importance of the United Nations contribution to those countries’ economies, in line with General Assembly resolution 1514 (XV). His delegation would vote in favour of the draft resolution and urged others to follow suit.

8. **Mr. Berdyev** (Russian Federation), speaking in explanation of vote before the voting, said that, while the Russian Federation continued to support the peoples of Non-Self-Governing Territories, it considered that the current draft resolution weakened the Council’s work. His delegation therefore favoured the removal of the item from the Council’s agenda and would abstain from the vote on draft resolution E/2008/L.17.

9. **Mr. Siles Alvarado** (Bolivia), speaking in explanation of vote before the voting, said that a global vision of the initiatives being carried out in various Non-Self-Governing Territories helped prevent duplication of efforts, thereby allowing resources to be earmarked for specific areas. The United Nations system’s response to and assistance in preventing natural disasters were equally important. By meeting the basic needs of the peoples of Non-Self-Governing Territories, the United Nations strengthened the credibility of and trust in the system and in the international community.

10. Contributing financial resources to Non-Self-Governing Territories was indispensable to achieving tangible results and to implementing General Assembly

resolution 1514 (XV). As the Second International Decade for the Eradication of Colonialism drew to a close, the need for all agencies and organizations of the United Nations system to be committed to the goal of ensuring that the colonial countries and peoples were granted independence assumed greater urgency. Furthermore, it was necessary to adopt appropriate measures to promote progress in the social and economic spheres in keeping with the legitimate aspiration of the peoples of Non-Self-Governing Territories to exercise their right to self-determination.

11. **Mr. Delacroix** (France), speaking on behalf of the European Union in explanation of vote before the voting, said that the European Union would abstain from the vote on the draft resolution as it believed the issues dealt with in the draft resolution fell outside the competence of the Council.

12. **Mr. Hagen** (United States), speaking in explanation of vote before the voting, said that his delegation would abstain from the vote on the draft resolution because, while it agreed in principle that United Nations funds, programmes and specialized agencies could usefully provide support to territories that were not members of the Organization, it objected to provisions in the draft resolution that made recommendations regarding the participation of territories in the activities of the United Nations. It was the responsibility of the administering Power, and not of the Council or of the General Assembly, to decide the nature of its territories' participation. The proposed language of the draft resolution infringed upon the relations between the United States Government and the governments of its territories, as well as upon the internal constitutional arrangements of the United States.

13. **Mr. Steele** (New Zealand), speaking in explanation of vote before the voting, said that, in light of New Zealand's experience as an administering Power of Tokelau, which had freely exercised its right to self-determination in the past year but had chosen to continue its status as a dependency of his country, New Zealand would vote in favour of the draft resolution. United Nations support to small, vulnerable territories such as Tokelau was crucial.

14. *A vote was taken by roll-call.*

15. *Mauritania, having been drawn by lot by the President, was called upon to vote first.*

In favour:

Algeria, Angola, Barbados, Benin, Bolivia, Brazil, Cameroon, Cape Verde, China, Congo, Cuba, El Salvador, Haiti, Indonesia, Iraq, Madagascar, Malaysia, Mozambique, New Zealand, Niger, Pakistan, Paraguay, Philippines, Saudi Arabia, Sri Lanka, Sudan, Uruguay.

Against:

None.

Abstaining:

Austria, Canada, Czech Republic, France, Greece, Iceland, Japan, Kazakhstan, Liechtenstein, Luxembourg, Moldova, Netherlands, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

16. *Draft decision E/2008/L.17 was adopted by 27 votes to 0, with 20 abstentions.**

Oral decision

17. **The President** said he took it that the Council wished to take note of the Secretary-General's report on assistance to the Palestinian people (E/2008/52).

18. *It was so decided.*

Economic and environmental questions (continued)

(h) International cooperation in tax matters (continued) (E/2008/L.27)

Draft resolution entitled "Committee of Experts on International Cooperation in Tax Matters"
(E/2008/L.27)

19. **The President** said that draft resolution E/2008/L.27 entitled "Committee of Experts on International Cooperation in Tax Matters" had no programme budget implications.

20. **Mr. Hart** (Barbados) introduced the draft resolution.

21. *Draft resolution E/2008/L.27 was adopted.*

* The delegations of Belarus and Mauritania subsequently informed the Council that they had intended to vote in favour of the draft resolution.

Social and human rights questions (*continued*)
(E/2007/76)

- (b) **Social development** (E/2008/26)
- (c) **Crime prevention and criminal justice**
(E/2008/30)
- (d) **Narcotic drugs** (E/2008/28; E/INCB/2007/1;
E/CN.7/2008/L.12/Rev.1)
- (e) **United Nations High Commissioner
for Refugees** (E/2008/63; E/2008/84 and
E/2008/L.11)
- (f) **Comprehensive implementation of the Durban
Declaration and Programme of Action**
- (g) **Human rights** (E/2008/22, E/2008/76 and
A/63/41)
- (h) **Permanent Forum on Indigenous Issues**
(E/2008/43)

22. **Mr. Ghodse** (President, International Narcotics Control Board), introducing the annual report of the Board (E/INCB/2007/1), said that in the first chapter of the report, in accordance with the principles of the three international drug control treaties, the Board had called for the penalties for drug-related offences to be proportionate to the seriousness of the crime. The 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances required States parties to take special measures to ensure that serious offences were not committed with impunity and, specifically, to ensure that courts took any aggravating circumstances into account when sentencing offenders. The Convention also sought to put an end to safe havens for persons who committed serious offences.

23. On the other hand, the Convention distinguished between offences related to drug trafficking and those related to drug abuse and between offences committed by drug abusers and those committed by non-abusers; the former were to be provided with opportunities for treatment and rehabilitation in addition, or as an alternative, to conviction and punishment. The Board had stressed that due respect for universal human rights, human duties and the rule of law was important for effective implementation of the international drug control conventions and that failure to respect them could prejudice the ability of the criminal justice system to enforce the law, lead to discriminatory disproportionate responses to drug offending and undermine the relevant conventions. The chapter

contained recommendations for governments, international organizations and other concerned parties.

24. The Board continued to monitor the drug control situation in Afghanistan, where large-scale opium poppy cultivation threatened the aims of the 1961 United Nations Single Convention on Narcotic Drugs, and, in that connection, had invoked article 14 of the Convention in 2000. Since then, the situation in that country had not improved and the article remained applicable; an unprecedented 193,000 hectares had been devoted to illicit poppy cultivation in 2007 and the recent seizure of 238 tons of cannabis suggested that its cultivation had also been firmly established in some regions.

25. Another concern was the trafficking of chemicals to Afghanistan for the illicit manufacture of heroin. The Board had called on governments to report any order or request for shipment of acetic anhydride, controlled under the 1988 Convention, to that country and had welcomed the recent adoption of Security Council resolution 1817 (2008), which called upon all Member States to increase cooperation in monitoring the international trade in chemical precursors, particularly acetic anhydride.

26. He urged the Council to adopt the draft resolution of the Commission on Narcotic Drugs on the provision of international assistance to the States neighbouring Afghanistan most affected by the transit of illicit drugs (E/CN.7/2008/L.12/Rev.1), which commended regional initiatives to strengthen international and regional cooperation aimed at countering the threat posed by the illicit production of drugs in Afghanistan. At the international conference in support of Afghanistan, organized by the Government of France and held in Paris on 12 June 2008, delegations had stressed that the international community had an important role to play in assisting the Government of that country. The Government should take firm measures against corrupt officials involved in the illicit drug trade, since corruption ultimately hindered both efforts to combat the problem and the economic development of the country as a whole. He planned to visit Afghanistan by the end of 2008 in order to see what progress had been made.

27. West Africa had rapidly become a major route for smuggling cocaine from Latin America to Europe, where it was repackaged for onward shipment. It was also transported by air to countries in Southern Africa,

where cocaine abuse had increased. Many countries of the region lacked the means to address the issue; in many cases, the street market value of the cocaine seized exceeded a given nation's annual law enforcement budget. It was therefore essential for non-African governments to provide assistance in that regard.

28. The Board conducted country missions in order to examine the national drug control situation, the measures taken in implementation of the relevant conventions and the situation of the country in question through access to first-hand information and discussion with the relevant Ministers.

29. The goals established in 1998 at the twentieth special session of the General Assembly on the world drug problem, including that of significantly reducing the problem by 2008, had been met to varying degrees by governments. The Board had been assessing progress in that regard and, in a preliminary report submitted to the Commission on Narcotic Drugs in March 2008, had identified the achievements and the remaining challenges. It would issue a comprehensive report in 2009, a year that would mark the hundredth anniversary of the convening, in Shanghai, China, of the International Opium Commission. In 2009, the Chinese Government would host an event to commemorate that centennial; he called on governments, intergovernmental organizations and civil society to attend.

30. **Mr. Mbaidjol** (Director, New York Office, Office of the High Commissioner for Human Rights (OHCHR)), introducing the report of the High Commissioner for Human Rights (E/2008/76), said that it focused on economic, social and cultural rights and on the principles of equality between men and women and non-discrimination against women. Those principles were central to the work of OHCHR; the prohibition of discrimination on any grounds was one of the pillars of international human rights law, yet countless women in all parts of the world faced discrimination in law and practice, hindering their enjoyment of their rights and, in particular, their access to health, education, work, housing and food.

31. While some progress had been made, laws and policies did not address adequately the multi-layered nature of discrimination against women, particularly in relation to their economic, social and cultural rights. As a result, inequalities persisted as a consequence of

deeply rooted practices and patterns of exclusion. In her report, the High Commissioner described how the understanding of inequality and its manifestations had evolved in the work of the United Nations system and the regional human rights mechanisms. The report also considered the situation of women's economic, social and cultural rights at different stages of post-conflict situations, including peace negotiations, transitional justice processes and reparations, and concluded that the enjoyment of those rights was an essential precondition for peace and justice.

32. Turning to the report of the Committee on Economic, Social and Cultural Rights on its thirty-eighth and thirty-ninth sessions (E/2008/22), he said that the Committee had examined the reports of five States parties at each session, adopted General Comment No. 19 on the right to social security and clarified its plans for addressing the issue of resources for handling individual and group complaints once the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights, which had been adopted by the Human Rights Council at its eighth session in June 2008 and would be transmitted to the General Assembly for consideration, entered into force.

33. The Committee had organized its first regional workshop on follow-up to its concluding observations; the Central Asian workshop had been held in Bishkek in March 2007 with support from the Russian Federation. The Committee had also continued its close cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labour Organization (ILO) and other United Nations entities.

34. Lastly, he introduced the report of the Committee on the Rights of the Child (A/63/41) for the period February 2006 to January 2008, during which it had held six sessions and adopted three general comments. In the substantive portion of its report, the Committee had considered the experience gained through monitoring implementation of the Optional Protocol on the sale of children, child prostitution and child pornography; that reflection was particularly timely in light of preparations for the Third World Congress against Commercial Sexual Exploitation of Children, to be held in Brazil in late 2008.

35. The second part of the report dealt with the Committee's working methods. The number of reports awaiting consideration, which had stood at 44 as at

1 February 2008, had doubled owing to an unprecedented level of submission by Member States; additional time for meetings would be needed. The Chairperson would address that issue in her statement to the General Assembly at its sixty-third session, based on the Committee's 6 June 2008 decision to request the Assembly's approval to work in two chambers as from October 2009 in order to clear its backlog of reports.

36. **Ms. Lim-Kabaa** (Deputy Director, New York Office, Office of the United Nations High Commissioner for Refugees (UNHCR)) reported orally on coordination aspects of the work of UNHCR from mid-2007 to mid-2008, as requested in General Assembly resolution 58/153. Further information could be found in the Global Report 2007, available on the UNHCR web site.

37. One of the cornerstones of the Office's work was its wealth of partnerships with a broad range of organizations and individuals. It remained actively involved with United Nations coordination bodies such as the Chief Executives Board for Coordination (CEB) and its High Level Committees on Management (HLCM) and Programmes (HLCP), the United Nations Development Group (UNDG), the Executive Committee on Humanitarian Affairs (ECHA) and the Executive Committee on Peace and Security (ECPS). The Office was involved in the Delivering as One initiative in five pilot countries — Albania, Mozambique, Pakistan, Rwanda and the United Republic of Tanzania — and supported the goal of coherence in country-level policy development and implementation.

38. Under its revised policy framework and implementation strategy for reintegration, UNHCR was committed to establishing early, strategic cooperation with key partners and to situating its reintegration interventions in the context of mid- and longer-term development frameworks developed under national leadership. It was an active contributor to the humanitarian reform process, primarily through the Inter-Agency Standing Committee (IASC). Major elements of its approach included the Central Emergency Response Fund (CERF), strengthening the humanitarian coordinator system and the cluster approach that fostered enhanced cooperation with partner agencies and non-governmental organizations (NGOs).

39. The Office was working with other United Nations entities to address the humanitarian

consequences of climate change. It supported the work of IASC and HLCP within the mechanisms established by the Secretary-General and was considering the impact of climate change on human displacement and UNHCR operations. It was also cooperating with the World Food Programme (WFP), UNDG and IASC on the effects of food prices and food security on refugees and other persons of concern and had called for a renewed focus on livelihood opportunities for those populations. UNHCR remained the lead agency for HIV/AIDS among refugees and internally displaced persons; it had worked with its partners to strengthen prevention, treatment, care and support services and had chaired the Joint United Nations Programme on HIV/AIDS (UNAIDS) Committee of Cosponsoring Organizations from July 2007 to June 2008.

40. The Office also maintained bilateral partnerships with the World Health Organization (WHO), OHCHR and the United Nations Children's Fund (UNICEF) and with development organizations such as the United Nations Development Programme (UNDP), ILO, the United Nations Population Fund (UNFPA), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Human Settlements Programme (UN-Habitat) and the World Bank in addressing livelihood and reintegration issues for refugees and internally displaced persons. Cooperation with United Nations Volunteers (UNV) had increased the number of volunteers deployed in 2007; they were an important part of the Organization's staffing structure.

41. In recognition of the complementarities between refugee law and international human rights law, UNHCR cooperated with OHCHR, the seven treaty monitoring bodies and the special procedures of the Human Rights Council; it followed and contributed to the Council's work. In support of the campaign for the sixtieth anniversary of the signing of the Universal Declaration of Human Rights, its June 2008 annual consultations with NGOs had taken place under the theme of human rights.

42. Non-United Nations organizations with which the Office worked included the International Organization for Migration (IOM), the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC). In late 2007, UNHCR, ICRC and IFRC had finalized model formats for two types of agreements that should facilitate cooperation among their field offices.

43. The Office's NGO partners were indispensable allies. In 2007, it had signed strategic partnerships with the Danish Refugee Council, the International Rescue Committee, the International Medical Corps, the European Council on Refugees and Exiles and Norwegian Church Aid and maintained agreements with NGOs and other partners for deploying external staff in order to ensure that its combined external and internal standby capacity could respond immediately and appropriately to emergencies. UNHCR remained committed to the Global Humanitarian Platform (GHP), which brought together the heads of over 40 humanitarian organizations and NGOs on an equal footing, and to its principles of partnership: equality, transparency, results-oriented action, responsibility and complementarity.

44. Lastly, the cooperation of governments was fundamental to ensuring the international protection of refugees and other persons in need. Issues such as the effects of environmental degradation and the impact of rising food and fuel prices on humanitarian operations were best addressed through collaborative frameworks among all concerned parties.

45. **Mr. Khoshnaw** (Iraq) said that years of conflict and economic sanctions had created deep social divisions in his country. Despite Iraq's abundant natural resources, the Government's efforts to promote social development had been hampered by the dangerous security situation leading to unemployment, capital flight and the continuing brain drain. Addressing that situation was the responsibility not only of Iraqis, but of the international community as a whole.

46. His Government was taking steps to enhance equal opportunities; create jobs; raise public sector wages; grant benefits to the aged and the disabled; create a fund for the poor; develop rural areas; and provide assistance to families. It sought to ensure social services, security and social justice. It had focused on health and in particular primary health care, building 300 new health-care centres and equipping and enlarging 37 general hospitals. Financial grants for pupils and trainees had also been raised, accounting for 5 per cent of the national budget in 2008. Lastly, the Government had built 700 new schools; another 4,000 were scheduled for construction by the end of 2008. A financial policy made possible by increased oil production and rising oil prices had resulted in inflation decreasing from 64.8 per cent in 2003 to

16 per cent in 2007, and had made possible the largest budget in the country's history, at \$48 billion.

47. His country looked forward to the support of the international organizations through the International Compact with Iraq, which would foster reconstruction, sustainable development and reintegration into the international community.

48. **Ms. Blum** (Colombia) recalling the Political Declaration adopted in 1998 at the twentieth special session of the General Assembly, reaffirmed that the world drug problem affected the international community as a whole. It was therefore critical to act on the basis of the principle of shared responsibility and to strengthen international cooperation in combating all aspects of the problem in a balanced, systematic manner.

49. Colombia was one of the countries most affected by the devastating impact of illegal drugs. In 2007, a record 20 per cent of the world's cocaine seizures had occurred in that country while 153,000 hectares of coca crops had been eradicated by aerial spraying and 66,000 by manual methods. The Presidential Programme against Illicit Crops included two alternative development strategies: the Family Rangers Programme, which involved peasant, indigenous and Afro-Colombian communities; and the Productive Projects Programme, which benefited communities that had agreed to replace illicit crops with legal, financially viable alternatives. Those programmes sought to create stable incomes and improve food security through the sustainable use of natural resources. Since its inception in 2003, the Family Rangers Programme had benefited 97,500 families.

50. Despite the Government's efforts, recent studies showed an increase in the area under coca bush cultivation; however, as a result of eradication efforts, cocaine potential production had increased by only 1 per cent. It was critical to achieve a balance between actions aimed at reducing supply and demand; her Government urged donor countries to make a greater commitment to alternative development projects, including by granting preferential market access to the products of legal agricultural initiatives.

51. She noted with concern the recent observation by the United Nations Office on Drugs and Crime (UNODC) that a surge in opium and coca cultivation and the risk of higher drug use in developing countries threatened to undermine recent progress in drug

control. Such statements ignored both the laws of supply and demand that governed the illicit drug market and the recognized principles adopted in 1998. It was essential for Member States to reaffirm the validity of the principle of shared responsibility and their commitment to an integral, balanced treatment of the world drug problem within the framework of international cooperation.

52. Her delegation had also taken note of the recommendations to the Council contained in the report of the Permanent Forum on Indigenous Issues (E/2008/43). Her Government would continue its efforts to defend the human rights of indigenous people in accordance with domestic law, the Constitution and its commitment to the international instruments that Colombia had ratified.

53. **Ms. Zhang** Dan (China) drew the Council's attention to the report of the Commission on Narcotic Drugs on its fifty-first session, containing resolution 51/8 of the Commission entitled "Marking the centennial of the convening of the International Opium Commission". The first meeting in Shanghai in 1909 of the International Opium Commission had marked the beginning of the global campaign against drugs as well as a great victory of the Chinese people over the scourge of opium imposed by the Western colonialist powers. The successful convening of the Commission led to the world's first international drug control convention at the Hague in 1912; over the ensuing century, the international community had successively developed a further 12 international conventions, agreements and protocols on narcotic drugs to bolster the international legal regime to combat narcotic drugs.

54. A host of mutual cooperation initiatives had been developed at the international, regional and subregional levels to enhance the implementation of anti-drug policies. Scientific research on treatment and rehabilitation of drug addicts had also been continuously promoted. The unremitting efforts of international anti-drug agencies and national governments had yielded some improvement in the drug situation, marked in particular by a decline in poppy cultivation in Southeast Asia. The problem of heroin was largely under control, and a system for managing chemical precursors of narcotic drugs had been initiated. However, new challenges were emerging, with new drugs appearing in new areas; drug-related crime at the international level was also on the rise.

55. The centennial of the convening of the International Opium Commission afforded the international community an opportunity to take stock of past achievements and to look towards the future. With the support of INCB and UNODC, China planned to organize a celebration of the centennial in Shanghai in 2009, and hoped that the related commemorative activities would serve to raise awareness, especially among the young, of the dangers of drugs, as well as strengthen the campaign against drug-related crime with a view to fully implementing international narcotics-control conventions and increasing financial and technical assistance to developing countries.

56. **Mr. Hagen** (United States of America) reaffirmed his Government's support for the Office of the United Nations High Commissioner for Human Rights. The independence and credibility of the Office were essential in enabling the United Nations to carry out its mission of promoting and protecting human rights around the world. He acknowledged the critical work of local and international NGOs in the field of human rights, noting that there were few principles so central to democracy as the right to free speech.

57. His Government was deeply concerned by what appeared to be a coordinated effort on the part of some Member States to use the United Nations to seek to regulate the conduct of individuals rather than to hold governments to account. In that regard, his delegation was particularly concerned at suggestions that the Special Rapporteur on Freedom of Expression of the Human Rights Council should focus on abuses of that freedom, and at the notion that the cure for intolerance was government restrictions on peaceful expression.

58. Finally, his Government was pleased to be associated with 63 other Member States that had signed a Declaration on Prisoners of Conscience the previous June. Recalling the language of the Universal Declaration of Human Rights, the Declaration urged Member States to uphold their commitments embodied in that historic document. The signatories of the Declaration on Prisoners of Conscience had committed themselves to work for the freedom of such prisoners and to make their release a priority in their relations with other States. The United States of America stood by that commitment and called on other Member States to join that important effort.

59. **Ms. Park** (Republic of Korea) said that the abject poverty, widening income disparities, increasing

unemployment and severe violations of human rights caused by the current economic depression and global food crisis were serious challenges which should be addressed in a more systematic way; they called for balanced and integrated strategies and shared responsibilities among the United Nations, Member States, and all stakeholders. Her Government believed that national development strategies and international policies should focus not only on addressing low levels of economic growth and investment but also on poverty eradication, social integration and fair employment opportunities for all. It was thus fitting that the forty-sixth session of the Commission for Social Development should have selected for consideration the priority theme of “Promoting full employment and decent work for all”, and the emerging issue of “Mainstreaming disability in the development agenda”. Since underprivileged and vulnerable groups such as women, children, persons with disabilities and aged people were the main victims of poverty or economic recession, the international community should place priority on ensuring their fundamental human rights. Indeed, mainstreaming disability in the development agenda was of vital importance. It entailed not only the full and effective participation of persons with disabilities in the process of development but also a disability-inclusive approach to policy-making processes and resource allocation in the development agenda, which would ultimately contribute to poverty eradication and to bringing about change in social structure and culture, in the sense of making them more inclusive.

60. Refugee issues presented another global challenge to be addressed by the entire international community. Durable solutions to those intractable issues could only be found with the full and constant support of Member States. For example, with the current trend of more restrictive border control measures, identifying and protecting refugees within broader and mixed migration movements could be a very difficult matter. It must not be forgotten, however, that refugees did not leave home by choice. The importance of human security must not be overshadowed by the demands of national security. Her Government firmly believed that the principle of non-refoulement of refugees should be upheld in all parts of the world.

61. As the Report of the United Nations High Commissioner for Human Rights (E/2008/76) rightly pointed out, women should fully enjoy economic,

social and cultural rights on the basis of the principle of equality and non-discrimination. In particular, they should have equal access to work, adequate housing, health care and education without encountering any form of discrimination. Nevertheless, a great majority of the over one billion people who were currently suffering from extreme poverty and epidemic disease were women. Considering that women heads of households, women living with HIV/AIDS, women refugees, and older women were among the poorest population groups across the world, her Government took the view that Member States and the United Nations as a whole had a responsibility to help them. In that regard, her Government had left no stone unturned in its efforts to promote women’s economic, social and cultural rights. For instance, the abolition of the family headship system, which had taken effect at the beginning of 2008, had laid valuable groundwork for the promotion of women’s legal and economic rights.

62. Amidst the various challenges that humankind was facing, children were too often victims of armed conflict, sexual exploitation or sexual abuse and other forms of violence. It was also a chilling fact that many children still suffered from malnutrition or simply died in their infancy. In particular, disadvantaged children in sub-Saharan Africa and least developed countries demanded special attention and immediate action from the international community.

63. **Mr. Taranda** (Belarus) said that his delegation valued the increased priority that UNODC had accorded in recent years to combating trafficking in persons. Recent initiatives such as the United Nations Global Initiative to Fight Human Trafficking had helped increase awareness of the problem and served as a platform for creating and strengthening global partnerships for counteracting that phenomenon. Using the potential of the Economic and Social Council in the search for ways to solve the problem could be an important component in developing an agreed, comprehensive and coordinated mechanism for effectively combating human trafficking.

64. Belarus consistently advocated strengthening multilateral cooperation in countering the danger of narcotic drugs and welcomed cooperation with INCB. As a result of measures taken by his Government, it had been possible to control the spread of narcotic drugs in the country. National legislation was being updated, and the work of law enforcement bodies and international cooperation were being stepped up in the field of crime detection. As a party to all the basic

international drug control treaties, Belarus commended the activities in that field undertaken under the Kellogg-Briand Pact and called upon the international community to increase its joint efforts to control precursors, including the creation of a multilateral mechanism for monitoring deliveries thereof.

65. Work had practically been completed on a draft agreement between the Republic of Belarus and UNHCR on cooperation and the legal status of the UNHCR office and its personnel in that country. Belarus was interested in further developing the European-Asian Programme on Forced Displacement and Migration and called upon UNHCR to step up its work with States to expand the Programme and ensure the necessary funding.

66. His country advocated the comprehensive elimination of racial discrimination, xenophobia and related intolerance, having enacted legislation prohibiting all forms of such discrimination. It supported the Durban Declaration and Programme of Action and hoped that the 2009 Review Conference in Geneva would give further impetus to international efforts in that field. In that connection, he stressed the need to give due consideration to promoting economic and social rights as well as the right to development on the basis of an in-depth analysis of the primary causes of economic and social inequality such as poverty, discrimination and pandemic diseases.

67. Belarus supported constructive international cooperation in protecting human rights. The practice of submitting politicized country-specific resolutions should be replaced by equitable and mutually respectful dialogue on human rights in accordance with General Assembly resolution 61/166. Lastly, his country was opposed to all types of sanctions. The General Assembly and the Human Rights Council had repeatedly adopted resolutions condemning one-sided mandatory economic or political measures, which ran counter to international law and the purposes and principles of the Charter. The Council must remain alert to that problem and should react to such actions in accordance with its mandate.

68. **Mr. Siles Alvarado** (Bolivia) noted that whereas in the past, under pressure from some Member States, the approach had been to eliminate all coca leaf crops by force, the current Bolivian Government had adopted a policy of eradicating the surplus coca leaf crops through dialogue, respecting the human rights of the

producers and seeking to promote other crops as alternatives to the production of coca. In that endeavour Bolivia had requested support from other countries, asking them to open up their markets to that alternative production. However, it had become clear that the distorted view persisted that the scourge of narcotics could not be combated without eradicating the raw materials used in their production. Yet, no one ever suggested that in order to eliminate alcoholism, it was necessary to eradicate all the ingredients that went into the production of alcoholic drinks.

69. Turning to the INCB report, he said that his delegation had reservations on paragraphs 216 and 217, which referred to the ancient tradition of the indigenous people of Bolivia of chewing coca leaves and brewing coca tea, and on Recommendation 7, calling for the prohibition of coca leaf chewing by Bolivia's indigenous native peoples.

70. In that regard, INCB had contravened article 22.2 of the 1988 United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances which stated that "Any Party shall be invited to be represented at a meeting of the Board at which a question of direct interest to it is to be considered under this article". The matter of coca leaf chewing was certainly of direct interest to Bolivia, and the country much regretted that the Board had not taken the trouble to apply that article. Furthermore, recommending a prohibition on coca leaf chewing not only went against ancient tradition but was also at odds with the United Nations Declaration on the Rights of Indigenous Peoples, article 11 of which clearly stated that "Indigenous peoples have the right to practise and revitalize their cultural traditions and customs". Articles 24 and 31 of the same Declaration confirmed the right of indigenous peoples to pursue their traditional customs and practices.

71. Lastly, his Government was awaiting an invitation, discussed as a possibility when the President of the Board had visited the country in March, to have an in-depth discussion of the difference between such traditional use of coca leaves and the use of coca for making narcotics. Bolivia was committed to the fight against drug trafficking, but the fight should be pursued in line with a common understanding of the issues.

72. **Mr. Amin** (Afghanistan) said that there was a need to determine how the international community

was going to help Afghanistan tackle the drug scourge, which was a major threat not only to Afghanistan but to the whole world. A global challenge needed to be tackled globally. Welcoming the measures taken so far by the international community to prevent the trade in illicit drugs, the Government of Afghanistan had taken measures to prevent poppy cultivation and drug trafficking at the national level, and bring all involved in the drug trade to justice. The illegal transportation to Afghanistan of precursors was a huge challenge facing the country, and had to be dealt with at the national, regional and international levels.

73. **Mr. Gala López** (Cuba) said that his Government attached the utmost importance to the principles of indivisibility and interrelatedness of human rights. With regard to item 14 (g), he drew the Council's attention to a flagrant violation by the United States of America of the right of self-determination of the Cuban people and to the shady relationships that existed among the anti-Cuban terrorist groups in Miami, accredited United States diplomats in Havana and mercenary groups in Cuba. Those mercenaries openly flouted Cuban laws and were contemptuous of the human rights of the Cuban people, supported the embargo policy and carried out violent and subversive acts with money received from Washington. Yet they had been characterized by the powerful propaganda machinery of the hegemonic superpower as "peaceful dissidents" and "defenders of human rights".

74. The Government of Cuba had denounced the scandalous conduct of high-level United States diplomatic officials in Havana for facilitating contacts and the transfer of money between the terrorist, Santiago Álvarez, and mercenary groups in Cuba working for the United States Government to subvert the legally established constitutional order in Cuba. Those revelations were but the latest addition to the extensive dossier of actions taken by the United States Government aimed at destroying the Cuban revolution.

75. The denunciation had presented evidence and detailed documentation on three very serious matters, the first being the involvement of United States diplomats in Havana in the remittance of money from Álvarez, a well-known terrorist, to mercenaries in Cuba. Second, in return for the money, those mercenary elements had helped Santiago Álvarez to obtain a reduction in his sentence for the possession of weapons intended for use in violent acts against Cuba. As part of his defence, the mercenaries had provided

documents, sent from Havana, that had enabled the terrorist to be portrayed as a supporter of the cause of human rights. Third was the illegal actions of the United States Interests Section in Cuba, which monitored, financed and organized provocative activities by mercenary elements aimed at destabilizing Cuba. It had been irrefutably demonstrated that those groups received funding not only from the Government of the United States but also from terrorist groups.

76. Such acts not only violated the laws of both Cuba and the United States but also contravened international law. Cuba expected the Government of the United States to conduct a thorough investigation into that serious matter and to make public its findings.

77. **Ms. Roca-Hachem** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that UNESCO was honoured to chair the United Nations Inter-Agency Support Group on Indigenous Issues for the coming year. The Group's annual meeting in September would provide unique opportunities to assess and advance joint work to promote indigenous peoples' quest for development with culture and identity. UNESCO welcomed the approval of the United Nations Declaration on the Rights of Indigenous Peoples, which echoed the principles of the UNESCO Universal Declaration on Cultural Diversity and related legal instruments, including the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, all of which recognized the pivotal role of indigenous peoples as custodians of cultural and biological diversity.

78. UNESCO had participated actively in the United Nations Development Group Task Team that had formulated the Guidelines on Indigenous Peoples' Issues, ensuring that ample reference was made to the interactions between the Declaration and UNESCO standard-setting instruments and guidelines in support of cultural diversity in education. In that context, UNESCO had developed the UNESCO Cultural Diversity Programming Lens (2004), which was now available in three languages, and resource materials on participatory cultural mapping. It had also intensified its partnership with organizations representing or defending indigenous peoples in the areas of cultural mapping and education for sustainable development, production of resource materials to protect French-speaking indigenous peoples and their cultures around

the world, and development of concepts and tools specific to “development with identity”. In addition, UNESCO continued to host indigenous fellows under the Indigenous Fellowship Programme. Following a request by its Executive Board, UNESCO was enlisting the assistance of indigenous and non-indigenous language experts to assess technical and legal issues relating to the protection of indigenous and endangered languages.

Draft decision entitled “Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees” (E/2008/L.11)

79. **Mr. Cujba** (Moldova), also speaking on behalf of Djibouti, introduced the draft decision entitled “Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees”. Djibouti and Moldova which were both parties to the Convention relating to the Status of Refugees of 1951, as well as to relevant regional arrangements wished to become members of the Executive Committee. For 30 years, Djibouti had been a natural haven for refugees from Ethiopia, Eritrea, Somalia and Yemen, while Moldova was currently a destination of choice for asylum-seekers coming from various regions. The Governments of the two countries had established constructive dialogues with UNHCR, with a view to building capacity to manage relevant issues and believed that membership in the Executive Committee would both augment their contribution to the international efforts to deal with refugee problems and contribute to improving the situation of the refugees themselves.

Recommendations contained in the report of the Commission for Social Development on its forty-sixth session (E/2008/26)

80. **The President** drew attention to the draft proposals contained in Chapter I, sections A and B, of the report of the Commission for Social Development on its forty-sixth session (E/2008/26).

Draft resolution I: Social dimensions of the New Partnership for Africa’s Development

Draft resolution II: Promoting full employment and decent work for all

Draft resolution III: Future organization and methods of work of the Commission for Social Development

Draft resolution IV: Further promotion of equalization of opportunities by, for and with persons with disabilities and protection of their human rights

Draft resolution V: Mainstreaming disability in the development agenda

81. *Draft resolutions I, II, III, IV and V were adopted.*

Draft decision: Report of the Commission for Social Development on its forty-sixth session and provisional agenda and documentation for the forty-seventh session

82. **Mr. Gala López** (Cuba) said that his delegation supported the work of the Commission for Social Development and wished to stress the importance of that forum to development issues. In that context, he reaffirmed the need for further discussion on the three main issues included in the Copenhagen Declaration on Social Development, namely, full employment, social integration and poverty eradication.

83. The conclusions on the priority themes for the work of the Commission were also important as they afforded participants an opportunity to reflect, in greater depth and clarity, on the elements to be analysed by the Commission. He drew the Council’s attention to the attempts made by some developed countries to change the Commission’s working methods and to give lower priority to social development issues, which went against the spirit of commitments made by their heads of State.

84. *The draft decision was adopted.*

Recommendations contained in the report of the Commission on Narcotic Drugs on its fiftieth session (E/2008/28)

85. **The President** drew attention to the draft proposals contained in Chapter I, sections A and B, of the report of the Commission on Narcotic Drugs on its fiftieth session (E/2008/28).

Draft resolution I: Promoting sustainability and integrity in alternative development as an important part of drug control strategy in States where illicit crops are grown to produce drugs

86. **Mr. Khane** (Secretary of the Council) reporting on the programme budget implications of the draft resolution said that by taking action on the report of the Commission on Narcotic Drugs on its fifty-fifth session, the Council would, inter alia, adopt draft

resolution II under part I.A, adopt draft decision I under part B, and take note of the report of the Commission, which contained resolutions 51/4, 51/6, 51/7 and 51/18 as well as decision 51/1 adopted by the Commission. At the time of adoption of resolution 51/4, the Secretariat had informed the Commission, in accordance with rule 28 of the rules of procedure of the functional commissions, that the implementation of the requests made in the draft resolution would require modifications of the approved programme of work, at the level of planned outputs, in subprogramme 2 entitled "Services for policymaking and treaty adherence of the programme budget for the biennium 2008-2009". Accordingly, the Council, by taking note of the Commission's resolution would endorse the modifications in the 2008-2009 programme budget.

87. *Draft resolution I was adopted.*

88. **Mr. Punkrasin** (Thailand), welcoming the adoption of the report and resolution, said that his delegation was particularly pleased that the Doi Tung development project had been incorporated into the resolution as best practices and lessons learned in sustainable alternative livelihood development strategy for tackling the problem of illicit crops being grown to produce drugs. His Government believed the concept of sustainable alternative livelihood development as a part of drug control strategy went further than merely eradicating crops. The socio-economic levels of communities must be raised to full self-sufficiency and self-reliance; that could be achieved through realistic action plans and mechanisms that addressed the root causes of the problem.

89. Alternative development was not only the common and shared responsibility of all members, but it was also a long-term solution that would contribute to the eradication of extreme poverty and hunger, which was an aim of the MDGs. Nonetheless, the international community could achieve such goals only through the steady provision of technical assistance and funding. While his Government was grateful to the donors and organizations that had provided support thus far, it wished to urge new and current donor governments, as well as multilateral, international and regional financial institutions, to redouble their international cooperation efforts in providing expertise and financial support.

Draft resolution II: Provision of international assistance to the most affected States neighbouring Afghanistan

90. *Draft resolution II was adopted.*

Draft decision I: Report of the Commission on Narcotic Drugs on its fifty-first session and provisional agenda and documentation for the fifty-second session of the Commission

91. **Mr. Gala López** (Cuba) reiterated his delegation's support for the work carried out by the Commission on Narcotic Drugs, stressing the need for the allocation of additional resources from the regular budget of the United Nations to the United Nations Office on Drugs and Crime in order to build the Office's capacity to fully implement projects and programmes and to provide further technical assistance to Member States. Improved capacity would also contribute to bridging the differences between developed countries, which were the main contributors to the budget of the United Nations, and developing countries. Cuba supported the adoption of the report of the Commission on Narcotic Drugs on its fifty-first session.

92. *Draft decision I was adopted.*

Draft decision II: Report of the International Narcotics Control Board

93. *Draft decision II was adopted.*

Recommendations contained in the report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session (E/2008/30)

94. **The President** drew attention to the draft proposals contained in Chapter I, sections A, B and C, of the report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session (E/2008/30).

Draft resolution entitled "Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice"

95. **Mr. Khane** (Secretary of the Council), reporting on the programme budget implications of the draft resolution, said that by taking action on the report of the Commission on Crime Prevention and Criminal Justice at its seventeenth session, the Council would,

among other things, recommend, for adoption by the General Assembly, draft resolution I under section A; adopt draft resolutions I and II under section B; adopt draft decision I under section C; and take note of the report of the Commission, which contained resolution 17/2, as well as decision 17/1 and 17/2 adopted by the Commission. Annexes II through VI, to the report of the Commission (E/2008/30) contained statements provided, pursuant to rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, to the Commission at the time of its adoption of the above-mentioned resolutions and decision. Those statements remained valid and the draft resolutions and decision did not entail any additional appropriation for the biennium 2008-2009.

96. *The draft resolution was adopted.*

Draft resolution I: Protection against trafficking in cultural property

Draft resolution II: Strengthening prevention of urban crime: an integrated approach

Draft resolution III: International cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources

97. *Draft resolutions I, II and III were adopted.*

Draft decision I: Report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session and provisional agenda and documentation for its eighteenth session

98. **Mr. Gala López** (Cuba) said that his delegation fully supported the work carried out by the Commission on Crime Prevention and Criminal Justice, and he underscored the need for the allocation of additional resources from the regular budget of UNODC. Cuba supported the adoption of the Report of the Commission on Crime Prevention and Criminal Justice on its seventeenth session.

99. *Draft decision I was adopted.*

Draft decision II: Appointment of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

100. *Draft decision II was adopted.*

Recommendations contained in the report of the Permanent Forum on Indigenous Issues on its seventh session (E/2008/43)

101. **The President** drew attention to the draft proposals contained in Chapter I, section A, of the report of the Permanent Forum on Indigenous Issues on its seventh session (E/2008/43).

102. **Mr. Khane** (Secretary of the Council), reporting on the programme budget implications of the decisions and recommendations of the Permanent Forum on Indigenous Issues contained in the report on its seventh session (E/2008/43), said it was understood, with regard to draft decision I, that the intention of the Forum was to decide on the priority theme of one of the two expert group meetings, as currently programmed under subprogramme 3, social policy and development of section 9, economic and social affairs of the programme budget for the biennium 2008-2009. Therefore no changes in the programme narrative of the programme budget for the 2008-2009 biennium were required, nor were additional resources required for implementation of that activity. As regarded draft decision II, since the related 2009 dates would be reflected in the 2009 calendar of conferences and meetings of the United Nations, no additional programme and budget implications were envisaged.

103. The attention of the Forum, which had also adopted a number of recommendations, including those contained in paragraphs 22 and 118 of the report (E/2008/43) that might entail programme budget implications for various entities of the United Nations system, had been drawn to paragraph 1 (b) of General Assembly resolution 57/191 requesting the establishment of a voluntary fund for the Forum for the purpose of funding the implementation of recommendations made by it through the Council, in line with paragraph 2 (a) of Council resolution 2000/22, as well as for funding activities under the Forum's mandate, as defined in paragraphs 2 (b) and (c) of that resolution. Therefore, it was expected that the funding of the implementation of the recommendations made by the Forum would be met through voluntary contributions.

104. In accordance with the established practice, the special rapporteurs appointed by the Forum under paragraphs 22 and 118 would provide their services at no cost to the Organization and would disseminate the results of their work through postings on the

Department of Economic and Social Affairs website; therefore their appointment entailed no additional financial requirements. Indeed, the decisions and recommendations of the report of the Permanent Forum on Indigenous Issues (E/2008/43) did not entail financial implications for the programme budget for the 2008-2009 biennium.

Draft decision I: International expert group meeting on the implementation of article 42 of the United Nations Declaration on the Rights of Indigenous Peoples

105. **Mr. Hagen** (United States of America) said that his delegation wished to dissociate itself from the decision to adopt draft decision I. The United States had always favoured a strong, clear declaration on the rights of indigenous peoples, that was both universal in scope and capable of implementation. His Government had worked hard for 11 years towards a consensus declaration that would make a practical difference in the lives of indigenous peoples around the world. The document that emerged from that flawed process was confusing and risked creating endlessly conflicting interpretations and debate about its application, as evidenced by the numerous and varied interpretations issued by States at the time of its adoption. Since the most significant provisions of the Declaration were flawed, his delegation considered the text, as a whole, unacceptable, and opposed its adoption. The concerns his Government had identified at the time of its adoption remained.

106. *Draft decision I was adopted.*

Draft decision II: Venue and dates of the eighth session of the Permanent Forum on Indigenous Issues

107. *Draft decision II was adopted.*

Draft decision III: Provisional agenda and documentation for the eighth session of the Permanent Forum on Indigenous Issues

108. **Mr. Hagen** (United States of America) said that the United States would abstain from voting because it agreed, in principle, that United Nations funds, programmes and specialized agencies could usefully support territories that were not United Nations members, so long as the domestic laws and policies of their administering Power allowed such support.

109. However, the United States objected to the provisions in the draft resolution that contained

recommendations regarding the participation of territories in the activities and bodies of the United Nations. It was the responsibility of the administering Power, not the Council or the General Assembly, to decide the nature, if any, of its territories' participation. Under the Constitution of the United States, the Federal Government had sole responsibility for the conduct of United States foreign relations, including the foreign relations of its territories, and those arrangements had been accepted by the territories of the United States. The language of the draft resolution infringed on the relations between the United States Federal Government and that of its territories, and on the internal constitutional arrangements of the United States.

110. *Draft decision III was adopted.*

111. **Mr. Adsett** (Canada) said that his Government had been a strong supporter and active participant in the Permanent Forum on Indigenous Issues since the inception of the Permanent Forum and remained committed to the work of that body. Canada had understood the term "implement", within the context of the draft decisions in the report, to mean general follow-up to the United Nations Declaration on the Rights of Indigenous Peoples by those States that had chosen to support it. However, the Declaration did not have universal support, and his Government had clearly stated that it did not accept the set of political commitments contained therein. He reiterated his Government's understanding that the Declaration was not a legally binding instrument, had no legal effect in Canada, and that its provisions did not represent customary international law. Canada would continue to take effective action to promote and protect the rights of indigenous peoples based on its existing human rights obligations and commitments.

The meeting rose at 1.20 p.m.