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Fourth coordination and management meeting**Summary record of the 53rd meeting**

Held at Headquarters, New York, on Tuesday, 21 July 2015, at 3 p.m.

President: Mr. Oh Joon (Vice-President) (Republic of Korea)**Contents**Social and human rights questions (*continued*)

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In the absence of Mr. Sajdik (Austria), Mr. Oh Joon (Republic of Korea), Vice-President, took the Chair.

The meeting was called to order at 3.15 p.m.

Social and human rights questions (*continued*)

(c) Crime prevention and criminal justice (A/70/90-E/2015/81; E/2014/30/Add.1, E/2015/30, E/2015/49 and E/2015/49/Corr.1)

(d) Narcotic drugs (A/70/87-E/2015/79; E/2014/28/Add.1 and E/2015/28; E/INCB/2014/1)

1. **Ms. Monasebian** (Director, 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/2015/49 and E/2015/49/Corr.1), said that the report covered the period 2009-2013 and also included some developments relevant to the law and practice of capital punishment that had taken place in 2014. All Member States had been invited to contribute information to the report and 54 Member States had returned the survey questionnaires sent to them in that regard. The report revealed an increase in the number of de facto abolitionist States from 47 to 51, and a decline in retentionist States from 47 to 39. During the reporting period, 30 Member States had conducted executions — five less than in the previous period — with 19 of those States having conducted fewer than 20 executions each. All fully abolitionist States had declared a policy of denying extradition to States where the death penalty might be imposed unless assurances were provided that the individual in question could not be sentenced to death or, if sentenced, that the penalty would not be carried out.

2. The safeguards guaranteeing the protection of the rights of those facing the death penalty, which had been adopted by the Council, were the internationally recognized minimum standards to be applied in countries that continued to impose capital punishment. Although the safeguards provided that capital punishment should only be imposed for the most serious crimes, international case law indicated that mandatory death penalty sentences failed to take into account the circumstances of the defendant and the offence and did not allow for distinctions to be made between the degrees of seriousness of the crime for which the penalty was imposed.

3. There was no information to suggest that the laws of any country allowed for retroactive application of the death penalty. Though all reporting retentionist States had indicated that persons under the age of 18 were not subject to capital punishment, reports of that practice in certain States persisted. Where it was not possible to determine the age of a young person, that individual should be presumed to be under the age of 18. States should also establish a maximum age beyond which an individual could not be executed. All relevant States had reported that they did not allow the execution of pregnant women; however, provisions for the execution of women after giving birth varied. No information was available on application of the death penalty with respect to the issue of mental competence. Retentionist countries had confirmed that capital punishment was only used where guilt was based on clear and convincing evidence, and that sentencing came only as a final judgment rendered by a competent court after a legal process that had given all possible safeguards to ensure a fair trial. Respondents had also indicated that individuals sentenced to death had a right of appeal.

4. During the reporting period, there had been numerous instances of large-scale commutation of sentences. All States that had responded had indicated that executions were stayed pending appeal or review procedures. However, although requested to do so, very few States had provided information about death row conditions, and the method of execution varied greatly among States that continued to impose it. The use of previously untested drugs raised questions about the pain and suffering inflicted on those sentenced to death and could amount to cruel and unusual punishment or torture. The use of stoning was again a focus of concern. The safeguards did not specifically address whether executions carried out in public constituted a violation.

5. The report confirmed that the progressive reduction and abolition of capital punishment had been sustained in the reporting period. Among a number of recommendations, it suggested that the Council might wish to recommend that retentionist States should report the number of persons sentenced or executed and the crimes for which the penalty was applied, taking into account that transparency was required for a fair and effective criminal justice system. Although States had repeatedly been requested to make all relevant information available to the public, up-to-date

information on the application of the death penalty was difficult to obtain, especially in conflict-affected countries, and there was a continued lack of data in some countries concerning the number and characteristics of those executed. Furthermore, in certain countries, such information could be classified as a State secret, violations of which might result in criminal sanctions.

6. **Mr. Alfonso de Alba** (Observer for Mexico), Chair of the Commission on Crime Prevention and Criminal Justice introduced the report of the Commission on its reconvened twenty-third session (E/2014/30/Add.1), the report of the Commission on its twenty-fourth session (E/2015/30) and the report of the Secretary-General on the thirteenth United Nations Congress on Crime Prevention and Criminal Justice (A/70/90-E/2015/81). Accompanying his remarks with a digital slide presentation, he said that the central task of the Commission at its twenty-fourth session had been to consider the follow-up to the thirteenth United Nations Congress on Crime Prevention and Criminal Justice. It had also examined such topics as transnational organized crime, corruption, terrorism, United Nations standards and norms, world crime trends, and emerging issues and responses.

7. The Commission had adopted two resolutions at its twenty-fourth session. The first related to strategic management, budgetary and administrative questions, and was based on the recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC. In that regard, he wished to highlight that UNODC faced a critical budgetary situation, since most of its funding came from voluntary contributions, the proportion of which had further increased over recent years. It was important to review that situation urgently, bearing in mind that it greatly affected both the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs. The other resolution adopted by the Commission on Crime Prevention and Criminal Justice was on strengthening crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences; in that regard, he urged States to incorporate into national legislation the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, adopted in 2014.

8. The Commission had recommended two draft resolutions for adoption by the Council, on implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons, and on improving the quality and availability of statistics on crime and criminal justice for policy development. The resolution highlighted the importance of crime statistics to support and develop public policy at the national, regional and global levels and sought to promote productive dialogue among national authorities responsible for the collection, processing and dissemination of standardized statistics on crime and criminal justice. Four draft resolutions were also brought before the Council for approval and subsequent recommendation for adoption by the General Assembly.

9. The United Nations Congress on Crime Prevention and Criminal Justice, held every five years, provided an opportunity for both governmental and non-governmental experts in the area of crime prevention to exchange information and share good practices. Thanks to the successful preparations for the Congress, it had been possible to adopt the outcome document on the first day, thus avoiding the need for lengthy negotiations during the Congress itself and suggesting a number of reforms that would make it possible to save resources. For example, the duration of the Congress could be lessened and the participation of high-level ministers and officials could be maximized by addressing separately the negotiations of the outcome document. The Government of Japan had offered to host the next congress in 2020, in respect of which such reforms could begin to be implemented. He planned to make a detailed submission on the proposed changes in method and substance for the Commission's consideration.

10. The Commission attached special importance to improving and deepening its relationship with the Council, and considered it appropriate to devote a permanent agenda item to that relationship in order to follow up the work of the Council and achieve greater synergies between the two bodies. The Commission contributed regularly to relevant discussions in the Council; however, the communication must go both ways, with the Council also providing guidance to the Commission with regard to proposed topics for its consideration. To ensure greater integration of crime prevention in the post-2015 development agenda, the Commission would have to base its work on what the

Council agreed in September 2015, including follow-up measures.

11. **Ms. Verville** (President, Board of Trustees, United Nations Interregional Crime and Justice Research Institute) said that the report of the Board of Trustees on major activities of the Institute (E/CN.15/2015/12) showed a positive trend of growth in organizational development, implementation of donor funding and personnel in 2015. The Institute conducted action-oriented research in six areas, including crime prevention, training, education and research-based programmes. The funds spent annually on programme implementation had risen from under US\$ 6 million in 2010 to over US\$ 20 million in 2014, and the number of personnel had grown from fewer than 20 in 2010 to over 70 in 2014.

12. As part of its work on countering violent extremism, the Institute was developing a risk assessment for reoffending by incarcerated extremists; based on that research, it would develop programming for the de-radicalization of offenders. Other areas of work included addressing threats posed by returning foreign terrorist fighters; combating organized crime and counterfeiting; reinvesting illicit capital in the legal economy; using anti-counterfeiting technology, countering cybercrime and the involvement of organized criminal groups in licit markets of precious metals and gemstones; countering environmental crime; examining the nexus between organized crime, international terrorism and development, increasing the efficiency of criminal justice systems and protecting vulnerable groups, including juveniles, in respect of, inter alia, racial discrimination, drug addiction, and gender-based violence; and promoting crime prevention and security, as well as enhancing security at major events.

13. Growth, however, was accompanied by major challenges. The Institute was funded wholly from extrabudgetary resources for specific projects. Though voluntary contributions were appreciated, they had declined in recent years, making it necessary to continue with fundraising efforts to cover additional expenses. While Member States increasingly focused on outcomes to demonstrate that funding was well spent, many years were needed to determine whether research-based programming had achieved a demonstrated change in behaviour in a target population. For that reason, the Institute had developed a system for documenting such behavioural change

throughout projects. For example, it continued to work with the European Commission and the European Union External Action Service to address the risks presented by illegal trafficking in radiological nuclear material. With the support of the Institute, countries were developing national action plans, in coordination with existing initiatives, while the Institute prepared risk scenarios based on real case studies. The Institute was optimistic that the process would lead to systematic changes in behaviour; it was thus an example of coordination between country needs and donor priorities. At the national level, the plans would foster inter-agency cooperation and ensure that priorities were identified, while at the regional level they would help identify common concerns and lead to the development of regional action plans. At the international level, they would provide a tool to reinforce donor coordination and ensure the implementation of international legal instruments in the areas of chemical, biological, radiological and nuclear risk mitigation.

14. The Institute aimed to produce outcomes, and it would continue to partner with a broader range of organizations in its efforts. It would also continue its educational programming in many areas. States were urged to share the Board's report with their national experts and to request further information as required.

15. **Mr. Srisamoot** (Observer for Thailand), Chair of the Commission on Narcotic Drugs, introduced the report of the Commission on its reconvened fifty-seventh session (E/2014/28/Add.1), the report of the Commission on its fifty-eighth session (E/2015/28) and the note by the Secretary-General transmitting the report on the progress made by the Commission in preparation for the special session of the General Assembly on the world drug problem to be held in 2016 (A/70/87-E/2015/79). Accompanying his remarks with a digital slide presentation, he said that during the regular part of the fifty-eighth session, at which the Commission had considered the scheduling of substances and the world situation with regard to drug trafficking, over 60 high-level panel events had been held, 11 resolutions had been adopted by consensus, two draft decisions had been recommended for adoption by the Council, and one draft resolution had been recommended for adoption by the General Assembly. At the session, the Commission had also discussed the importance of the implementation of the international drug control treaties, including changes in

the scope of control of substances. The Commission had taken action on 13 substances, deciding to include nine substances in Schedules I or II of the 1971 Convention on Psychotropic Substances and one substance in Schedule I of the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol. Based on information from the Chinese Government, the Commission had decided to postpone consideration of the proposal to place ketamine in Schedule IV of the 1971 Convention and would request additional information from the World Health Organization and other relevant sources in that regard. It had further decided not to include other substances in Schedule I of the 1971 Convention.

16. The first four days of the Commission's fifty-eighth session had consisted of a special segment devoted to preparations for the special session of the General Assembly on the world drug problem to be held in 2016. As part of that special segment, the Commission had held five interactive discussions on demand reduction and related measures, including prevention and treatment, and health-related issues; supply reduction and related measures, including responses to drugs-related crime; drugs, and human rights, youth, women, children and communities; new challenges, threats and realities in preventing and addressing the world drug problem in compliance with relevant international law; and alternative development, including socioeconomic issues. Member States had also adopted a number of resolutions on the special session of the General Assembly on the world drug problem to be held in 2016, including resolution 58/8 which set out the organizational arrangements and proposed modalities for the session, and was recommended for adoption by the Council. More information on preparations for the special session of the General Assembly could be found in the relevant report of the Commission ([A/70/87-E/2015/79](#)). In the lead-up to the special session, Thailand had proposed to organize an international conference on alternative development from 19 to 24 November 2015, which was intended to keep that subject on the international agenda.

17. At its fifty-eighth session, the Commission had decided to include a standing item on its agenda for future sessions concerning its contributions to the work of the Council, pursuant to General Assembly resolution 68/1. The Commission had made efforts to contribute substantively to the Council's work and

looked forward to continuing its close cooperation with regard to the post-2015 development agenda.

18. **Mr. Sipp** (President, International Narcotics Control Board), introducing the report of the Board for 2014 ([E/INCB/2014/1](#)), said that the Board, in line with its mandate, monitored Governments' control over the licit trade in narcotics drugs and psychotropic substances, as well as their control over the chemicals used in the illicit manufacture of drugs. It also assisted Governments in preventing the diversion of those chemicals into illicit traffic. It identified weaknesses in national and international control systems and drew attention to those weaknesses to allow for the implementation of remedial measures. The Board's role in the special session of the General Assembly on the world drug problem to be held in 2016 would be to clarify and highlight the approaches and principles of the existing drug control system; identify shortcomings and loopholes in drug policies and their implementation; and make concrete recommendations based on the international drug control conventions.

19. The 2014 report addressed the implementation of a comprehensive, integrated and balanced approach to the world drug problem, recalling that the ultimate goal of the international drug conventions was to ensure the health and welfare of humankind through a balance of demand- and supply-reduction interventions, and policies in other affected areas. The Board was of the view that demand reduction, which included drug prevention, dependence treatment, rehabilitation and reintegration measures, and measures to reduce the adverse consequences of drug abuse, should be at the core of any drug policy. The relevant drug control conventions placed great emphasis on demand reduction, and it was regrettable that, in many parts of the world, the prevention and treatment of drug abuse, pursuant to provisions such as article 38, paragraph 1, of the Single Convention on Narcotic Drugs of 1961, had not received the necessary consideration. The Board would persist in its efforts to ensure that those provisions were more comprehensively implemented. With respect to supply and law enforcement, it should be recalled that the conventions did not require the criminalization of drug abuse; instead, they provided the possibility for States to make use of treatment, education, after care, rehabilitation and social integration measures as alternatives to conviction or punishment, or in addition thereto.

20. It was crucial that punishments be proportionate to the gravity of the crime and the degree of criminal responsibility of the offender. The Board encouraged all Governments to re-examine the recommendations on the principle of proportionality contained in its 2007 report (E/INCB/2007/1). The international drug control conventions encouraged and facilitated proportionate responses by States to drug-related offences and offenders. States that retained the death penalty for drug-related offences were again encouraged to consider abolition. Drug policy should also take into account the socioeconomic and sociocultural conditions and consequences of drug abuse in communities, the possible negative impact and unintended consequences of drug policies, and the need not only to undertake crop eradication in addressing illicit cultivation but also to promote alternative development strategies. Drug policy should facilitate greater participation and cooperation between all relevant stakeholders, and should adhere to international human rights standards in all fields of drug control activities. The Board noted that those commitments were often not met in certain countries.

21. The relevant conventions aimed to ensure adequate availability of controlled substances for rational medical and scientific purposes. In that regard, the Board noted with great concern that, despite recent progress, three quarters of the world's population had limited or inadequate access to medicines for the treatment and management of pain associated with, for example, illness, injury, childbirth, surgical interventions and palliative care. The Board would publish a special report on that issue, together with the 2015 annual report, before the special session in 2016.

22. The current system of drug control designed by the three international drug control conventions, and further developed by the political declarations adopted by Member States in 1998, 2009 and 2014, was not prohibitionist. Rather, it was a balanced system that provided some flexibility and sought to improve public health and welfare, based on the underlying principles of proportionality, shared responsibility and compliance with international human rights standards. Many countries' drug policies did not comply with those principles, which led to deficiencies in the implementation of the drug control system. The system as such was not synonymous with a war on drugs; however, such a war was being waged in certain regions, in clear contradiction with the principles of a

comprehensive, integrated and balanced approach, proportionality and shared responsibility. It would not be stopped simply by changing the existing drug control system but, rather, by fully implementing the underlying principles of the system.

23. The first chapter of the Board's report recommended that Governments should give due consideration to the universally recognized principles of international law in respecting the obligations they had assumed by ratifying the drug control conventions. They should also ensure that demand reduction was among the top priorities of their national drug control policies; give due consideration to their obligation to ensure the availability of controlled substances for medical and scientific purposes; effectively address all relevant socioeconomic factors; involve all relevant stakeholders in planning, implementing and monitoring drug control policies; respect human rights norms in elaborating and implementing drug-related strategies and policies, and make full use of the international legal framework in order to protect children from the illicit use of drugs and involvement in the production and trafficking of drugs.

24. The second chapter, which dealt with the international drug control system and States' overall treaty compliance, highlighted control measures applicable to programmes for the use of cannabis for medical purposes, the availability of narcotic drugs and psychotropic substances in emergency situations, the use of methylphenidate, new psychoactive substances and the Board's development of an international electronic import and export authorization system for narcotic drugs and psychotropic substances. It also set out the results of the special review conducted by the Board in 2014 with regard to the drugs control situation in Papua New Guinea, the United States of America, Uruguay and Uzbekistan.

25. The third chapter produced an analysis of the global drug control situation by region, relying on information from national reports and reports from international and regional organizations. All Governments were strongly encouraged to share information on their drug control efforts, successes and challenges on a regular and ongoing basis. The concluding chapter contained Board recommendations to Governments and international and regional organizations in relation to demand and supply reduction, availability for medical purposes and licit international trade, non-scheduled substances and

treaty compliance. All Governments were invited to study the recommendations contained in the 2014 report, as well as those in its previous reports, in order to advance their implementation.

26. **Mr. Alfonso de Alba** (Observer for Mexico), also speaking on behalf of Argentina, Benin, Bolivia (Plurinational State of), Colombia, Costa Rica, Guatemala, Jamaica, Panama, Switzerland, Trinidad and Tobago and Uruguay, said that the delegations looked forward to the adoption of the report of the Commission on Narcotic Drugs on its fifty-eighth session (E/2015/28), in particular Commission resolution 58/8 on the special session of the General Assembly on the world drug problem to be held in 2016, which would be submitted to the Third Committee for adoption by the General Assembly. They took note of the summary of the high-level thematic debate held on 7 May 2015 in support of the process towards the 2016 special session on the world drug problem, and welcomed the broad participation of Member States during the debate, as well as the involvement of civil society and other stakeholders. They wished to highlight that drug policies should contribute to the prevention of damage to society through a people-centred and socially inclusive approach and responses. They also wished to reiterate the need for greater coordination and engagement among United Nations mechanisms and entities to address the world drug problem.

27. As the special session of the General Assembly on the world drug problem to be held in 2016 drew closer, the international community needed to ensure that all States Members of the United Nations, observer States, United Nations entities and specialized agencies, as well as other relevant international and regional organizations and civil society, participated in the outcome. The delegations remained committed to addressing the many issues related to the world drug problem, such as human rights, social inclusion, public health, development, criminal justice responses and international cooperation.

28. Speaking in his national capacity, he said that Mexico endorsed the outcome of the thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and called for its conclusions to be incorporated into the agenda of the Commission on Crime Prevention and Criminal Justice. The Council and its subsidiary bodies should also take that outcome document into account in following up and monitoring

the goals to be established in the context of the post-2015 development agenda.

29. Among the proposals adopted at the twenty-fourth session of the Commission on Crime Prevention and Criminal Justice, his delegation attached particular importance to resolution 24/2, which, inter alia, promoted the coordination of efforts in various multilateral forums with a view to promoting international cooperation to prevent and combat the trafficking of cultural property. He also noted that draft resolution II, which the Commission was recommending to the Council for adoption, reaffirmed the positive contribution of the Centre of Excellence for Statistical Information on Governance, Victimization, Public Security and Justice, established jointly by UNODC and the National Institute of Statistics and Geography of Mexico.

30. **Ms. Li** (Observer for Singapore) said that all States should comply with the strictest safeguards when applying the death penalty. Singapore recognized that capital punishment should only be applied to the most serious crimes after a period of due process and in accordance with the law. However, States should be left to determine what acts constituted the most serious crimes, and those crimes themselves should be examined in context in terms of their impact on the immediate and third-party victims, and on society as a whole.

31. Singapore had a zero-tolerance policy with regard to illegal drugs. Owing to its status as a major transportation hub and its proximity to the Golden Triangle, it was particularly vulnerable to such drugs, which had the potential to quickly permeate and destroy Singaporean society. Her Government's tough but comprehensive approach to combating the drug problem, including through rehabilitation, enforcement, and education, had effectively provided a safe and secure environment for Singaporeans, and had prevented the country from becoming a major transit centre for illegal drugs.

32. Her Government's adherence to the rule of law was widely recognized, and Singapore had been ranked ninth globally by the World Justice Project. Mandatory capital punishment was not a violation of international law. A significant number of States imposed mandatory capital punishment for various offences, including drug-related offences. Singapore regularly reviewed the efficacy of its criminal justice system. The 2012

review of its death penalty regime had reaffirmed the continued relevance of the use of capital punishment for all the offences to which it was applied, but had concluded that if certain tightly defined conditions were met, application of the death penalty could be left to the discretion of the court. Individuals such as Mr. Yong Vui Kong, awaiting execution at the time of the said review, had consequently had their sentences commuted to life imprisonment. The death penalty, part of a framework of reliably enforced laws, had, in her Government's experience, proven to be an effective deterrent to murder, kidnapping, trafficking in firearms, and drug-related offences. International law recognized each State's sovereign right to determine its own criminal justice system; as such, the discussion on the death penalty should be part of a broader discussion on the effectiveness of a country's overall criminal justice system, taking into account such factors as access to justice, due process, the ability to control crime, non-corruption, non-discrimination, and regulatory enforcement. The issue should be productively addressed through a holistic assessment of the effects and complexities faced by each country, rather than through sweeping generalizations.

33. **Mr. Rosdi** (Observer for Malaysia) said that, although Malaysians were protected under the Constitution from the arbitrary deprivation of life, Malaysian law provided for the death penalty in the case of the most serious crimes, in line with Article 6 of the International Covenant on Civil and Political Rights. The death penalty could be applied only after all rights of appeal had been exhausted, and subject to stringent safeguards. His Government was undertaking a study on the comprehensive reform of criminal justice administration, including the death penalty.

34. The number of executions in Malaysia had declined over past decades, despite the fact that there had been no change in the scope of capital punishment in law. Only six persons had been sentenced to death between February 2009 and May 2013 for drug trafficking and firearm-related offences, which were categorized as serious crimes in his country. Although Malaysian legislation allowed capital punishment for serious crimes, an intentional trend against its application could be observed. His Government was cognizant of recent debates on the issue at both the national and international levels. Given the need to take into account public opinion, especially with regard to capital punishment as a deterrent to major crimes, it

remained open and would continue to engage with the public on the matter.

35. **Mr. Elbahi** (Sudan) said that capital punishment should remain within the framework of each individual country's criminal justice system. The decision to either apply or abolish capital punishment was a sovereign right; each Member State should choose the approach best suited to its circumstances. As his Government had respected the decision of those States whose process of internal dialogue had led them to abolish the death penalty, it expected its own decision to apply capital punishment, to a very limited extent, to be respected in turn. The Sudan had a very complex judicial system that took into account the gravity of the offence. All rights of appeal were exhausted before capital punishment was applied. The penalty was not applied to children, pregnant women, the elderly or those with special needs.

36. His Government did not recognize the statistics on the Sudan used in the report of the Secretary-General on capital punishment ([E/2015/49](#) and [E/2015/49/Corr.1](#)), which were based on information provided by the non-governmental organizations Amnesty International and Hands Off Cain. The Secretariat should instead have used the information submitted by his Government to the Human Rights Council. Paragraph 41 of the Secretary-General's report, in particular, was baseless as the Sudanese courts did not impose the death penalty on children.

37. **Mr. Carrera Castro** (Guatemala) said that the agenda for the special session of the General Assembly on the world drug problem to be held in 2016 reflected many of his country's concerns; his delegation was, however, disappointed that the summary of the high-level thematic debate in support of the process towards the 2016 special session on the world drug problem, held on 7 May 2015, did not reflect fully the diversity and richness of the discussions held.

38. His Government was very aware of the consequences of drug trafficking. The maintenance of a prohibitionist approach had diverted substantial State resources that could have been used to meet social needs such as education and health, thereby hindering his country's development and the strengthening of its democratic institutions. His Government was also challenged by the links between drug trafficking and other illicit activities such as arms trafficking, trafficking in persons and money laundering. It was

time to take a comprehensive approach at the national, regional and global levels to reduce the high social cost of the world drug problem and recognize such concepts as criminal proportionality. It was important to consolidate efforts both within and outside the United Nations and to learn from countries that had used innovative approaches to address the phenomenon. In that regard, it was crucial for the General Assembly, the Council and the Human Rights Council to prepare tools to deal with the drug problem while recognizing its complex nature. The debates of the special session must be open, inclusive and without taboos.

39. **Mr. Morales López** (Colombia) said that the reports before the Council demonstrated his country's commitment to combating the world drug problem and the considerable efforts it had undertaken to do so. However, it was clear that neither the efforts of Colombia nor those of the international community as a whole had been sufficient. New challenges and realities required a fresh approach.

40. The special session of the General Assembly on the world drug problem would provide an opportunity to review both successful and failed measures. Colombia, having suffered greatly as a result of the drug problem, had undertaken a serious evaluation of policies in that field. New drug policies should prevent damage to public health and well-being, protect citizens and their rights, reduce the territorial vulnerabilities of border towns, and aid the recovery of constitutionality and governance. The drug problem was not subject to borders and required a clear, coordinated response from the international community. The special session would provide an opportunity to have an open, inclusive debate on the issue.

Action on the recommendation contained in the report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-third session (E/2014/30/Add.1)

41. **The President** drew attention to the draft proposal contained in chapter I, section A, of the report.

Draft decision: Report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-third session

42. *The draft decision was adopted.*

Action on recommendations contained in the report of the Commission on Crime Prevention and Criminal Justice on its twenty-fourth session (E/2015/30)

43. **The President** drew attention to the draft resolutions contained in chapter I, section A, of the report, which the Council was invited to recommend for adoption by the General Assembly.

Draft resolution I: Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

Draft resolution II: United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)

Draft resolution III: Taking action against gender-related killing of women and girls

Draft resolution IV: Technical assistance for implementing the international conventions and protocols related to counter-terrorism

44. *Draft resolutions I, II, III and IV were approved and recommended for adoption by the General Assembly.*

45. **The President** drew attention to the draft proposals contained in chapter I, sections B and C, of the report, which were recommended for adoption by the Council.

Section B

Draft resolution I: Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

Draft resolution II: Improving the quality and availability of statistics on crime and criminal justice for policy development

46. *Draft resolutions I and II were adopted.*

Section C

Draft decision I: Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

Draft decision II: Report of the Commission on Crime Prevention and Criminal Justice on its twenty-fourth session and provisional agenda for its twenty-fifth session

Draft decision III: Appointment of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

47. *Draft decisions I, II and III were adopted.*

Action on the recommendation contained in the report of the Commission on Narcotic Drugs on its reconvened fifty-seventh session (E/2014/28/Add.1)

48. **The President** drew attention to the draft decision contained in chapter I, section A, of the report.

Draft decision: Report of the Commission on Narcotic Drugs on its reconvened fifty-seventh session

49. *The draft decision was adopted.*

Action on recommendations contained in the report of the Commission on Narcotic Drugs on its fifty-eighth session (E/2015/28)

50. **The President** drew attention to the draft resolution contained in chapter I, section A, of the report, which the Council was invited to recommend for adoption by the General Assembly.

Draft resolution: Special session of the General Assembly on the world drug problem to be held in 2016

51. *The draft resolution was approved and recommended for adoption by the General Assembly.*

52. **The President** drew attention to the draft decisions contained in chapter I, section B, of the report, which were recommended for adoption by the Council.

Draft decision I: Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

Draft decision II: Report of the Commission on Narcotic Drugs on its fifty-eighth session and provisional agenda for its fifty-ninth session

Draft decision III: Report of the International Narcotics Control Board

53. *Draft decisions I, II and III were adopted.*

54. **The President** suggested that the Council should take note of the report of the Secretary-General on the thirteenth United Nations Congress on Crime Prevention and Criminal Justice (A/70/90-E/2015/81), 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/2015/49 and E/2015/49/Corr.1) and the note by the Secretary-General transmitting the report on the progress made by the Commission on Narcotic Drugs in preparation for the special session of the General Assembly on the world drug problem to be held in 2016 (A/70/87-E/2015/79).

55. *It was so decided.*

(e) United Nations High Commissioner for Refugees

56. **Ms. Eriksson** (Deputy Director, New York Liaison Office, Office of the United Nations High Commissioner for Refugees (UNHCR)) presented an oral report on behalf of the High Commissioner on the coordination aspects of UNHCR activities implemented in partnership with Governments, non-governmental organizations (NGOs), United Nations agencies and other multilateral bodies, as well as the beneficiaries of UNHCR programmes. She said that almost 60 million individuals had been displaced by conflict and persecution around the world and nearly 20 million were refugees. In 2014, an average of 42,500 persons per day had become refugees, asylum seekers or internally displaced persons. UNHCR staff, working in tandem with Governments and non-governmental partners, had responded to that crisis.

57. Coordination with partners was key to the work of UNHCR. The Office had continued to exert strong and inclusive leadership in managing the refugee component of the Organization's emergency response and had acted as a reliable partner in non-refugee emergencies. As reported the previous year, the UNHCR refugee coordination model set out the parameters of the Office's standard response and organization structure in refugee situations. In that regard, the High Commissioner had designated regional refugee coordinators for situations in the Central African Republic, the Great Lakes Region, Iraq, South Sudan, the Syrian Arab Republic, Nigeria and Yemen. UNHCR had also worked with the Office for the Coordination of Humanitarian Affairs and other Inter-Agency Standing Committee partners to demarcate roles and responsibilities for refugee coordination and the broader humanitarian response, especially in "mixed" situations. That process had culminated in an agreement between UNHCR and the Office for the Coordination of Humanitarian Affairs on the roles and responsibilities of the UNHCR refugee coordinator and the humanitarian coordinator in any given situation.

58. UNHCR remained committed to undertaking concrete actions to transform the way the Inter-Agency Standing Committee worked in responding more effectively to emergencies. It had continued to second senior staff to the Humanitarian Coordinator Pool, the Senior Transformative Agenda Implementation Team and the Inter-Agency Standing Committee secretariat, and had rapidly deployed emergency teams during emergencies. UNHCR had also continued to enhance the capacity of the protection, shelter, camp coordination and camp management clusters to address the needs of internally displaced persons. The refugee coordination model provided a predictable complement to the Transformative Agenda and a means of further regularizing coordination arrangements in emergencies.

59. UNHCR responsibilities also included building resilience and finding solutions for people in protracted situations of displacement. The Office was making efforts to expand partnerships with development actors to address social, economic and political challenges that prevented refugees and other displaced persons from achieving self-reliance and exercising their rights. In the search for solutions, it was important to ensure that refugees, internally displaced persons, stateless populations and returnees were included in all

planning. Stronger partnerships and new approaches were needed to prevent new displacement from becoming protracted and to help resolve existing protracted situations. The Solutions Alliance, which UNHCR co-chaired with Denmark, the International Rescue Committee and United Nations Development Programme, was a diverse network that included affected and host States, local authorities, development and humanitarian agencies, international financial institutions and civil society, among other actors. Launched in 2014, the Alliance was currently working in Somalia and Zambia.

60. Bearing in mind that NGOs played a vital role in protecting forcibly displaced and stateless persons, in 2014 UNHCR had channelled 40 per cent of its total annual expenditure, more than US\$ 1.32 billion, through its partners, most of which also contributed their own resources and expertise to projects. UNHCR also gave priority to engagement with NGO partners on policy matters. Some 500 participants, representing 273 NGOs from 80 countries, had attended the UNHCR annual consultations with NGOs in 2015. An increasing number of UNHCR partners were national and local actors with strong ties to affected communities. As they were often the first responders, they were invaluable in providing more effective and timely responses.

61. New crises were multiplying, while the old crises never seemed to disappear. Global governance remained weak, and impunity and unpredictability were forcing millions to flee their homes. Host communities and Governments were under strain, and a greater burden-sharing effort was needed from the international community. Against that backdrop, the efficient and effective coordination for which UNHCR strove was imperative.

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

62. **The President** recalled that the General Assembly, in resolution 62/220, had decided that the Assembly through its role in policy formulation, the Council through its role in overall guidance and coordination, and the Human Rights Council, should constitute a three-tiered intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.

(g) **Human rights** (A/70/55; E/2015/22 and E/2015/59)

63. **Mr. Radcliffe** (Chief, Global Issues and Intergovernmental Section, New York Office of the Office of the High Commissioner for Human Rights), introducing the report of the United Nations High Commissioner for Human Rights (E/2015/59), said that the report examined how international human rights law could be used to better protect economic, social and cultural rights in situations of armed conflict. It spelled out State obligations under the International Covenant on Economic, Social and Cultural Rights, with a specific focus on the rights to health and education, and summarized the recommendations of United Nations human rights treaty bodies in that context.

64. International humanitarian law and international human rights law offered a bulwark against the worst effects of conflict, and provided a legal framework for the protection of economic and social rights in situations of conflict. For instance, international humanitarian law imposed obligations on States engaged in conflict to refrain from harming civilians and to make sure that adequate conditions of life were in place for the general population, including with respect to health, food, relief assistance, work, employment and education. The obligation under international human rights law not to interfere with the enjoyment of economic, social and cultural rights and to prevent third parties from interfering with such rights continued to apply, even in situations where conflict rendered resources scarce. Neither the existence of conflict nor the scarcity of resources in conflict could justify, for example, a State's military use of schools, the destruction of educational and medical facilities, the obstruction of access to health care to those considered to be opponents, or attacks on health-care workers, students or teachers.

65. Armed conflict complicated States' efforts to progressively realize economic, social and cultural rights. Nevertheless, certain core obligations continued to apply, and retrogressive measures, for example, should be avoided unless very stringent criteria were met. Particular attention should also be paid in conflict situations to countering discrimination, which was often exacerbated by conflict. In that context, States should not merely refrain from discriminatory actions but be ready to adopt specific measures to protect affected groups from discrimination.

66. Introducing the report of the Committee on Economic, Social and Cultural Rights on its fifty-second and fifty-third sessions (E/2015/22), he said that at those two sessions the Committee had considered reports submitted by 18 States parties to the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol. The increase in the number of reports considered had been made possible by the Council's approval of a request for additional meeting time. The fifty-second session had therefore benefited from an additional week, which had helped to reduce the backlog of reports awaiting the Committee's consideration. In accordance with General Assembly resolution 68/268, the Committee would henceforth hold three annual sessions. There were now 164 States parties to the International Covenant and 20 States had ratified the Optional Protocol. All Council members that were States parties to the Covenant and had not yet ratified the Optional Protocol were urged to do so.

67. Turning to the report of the Committee on the Rights of Persons with Disabilities (A/70/55), which covered the ninth to twelfth sessions of that Committee, held in the biennium 2013-2014, he said that, during that period, the meeting time had been extended from two to five weeks, allowing an increase in the number of initial reports and communications considered and the completion of the Committee's first inquiry procedure.

68. The Committee on the Rights of Persons with Disabilities had adopted two landmark general comments. General comment No. 1 concerned article 12 and called on States parties to replace substituted decision-making with supported decision-making regimes. In other words, States parties were encouraged to introduce legal regimes in which persons with disabilities were fully supported in the exercise of their legal capacity. General comment No. 2, on article 9, called on States parties to ensure that all services were accessible to persons with disabilities, thereby promoting independent living and community inclusion. The Committee had also carried out awareness-raising activities to promote inclusive and accessible societies, including through the mainstreaming of disability in the post-2015 development framework as well as in the context of disaster risk reduction strategies and humanitarian action. Furthermore, the Committee had strengthened its capacity-building mandate and had provided advice

to several States parties on how to further improve the implementation of a human-rights-based approach to disability in law and in policies.

69. **Mr. Canay** (Turkey) said that the language used in paragraph 9 of the report of the United Nations High Commissioner for Human Rights (E/2015/59) was unacceptable to his delegation, as it was not in conformity either with the facts on the ground or with United Nations terminology on the question of Cyprus, which was on the agenda of the Security Council.

70. **The President** suggested that the Council should take note of the report of the United Nations High Commissioner for Human Rights (E/2015/59), the report of the Committee on Economic, Social and Cultural Rights on its fifty-second and fifty-third sessions (E/2015/22) and the report of the Committee on the Rights of Persons with Disabilities on its ninth to twelfth sessions (A/70/55).

71. *It was so decided.*

The meeting rose at 5.35 p.m.