



Partly adapted from extempore remarks

STATEMENT BY MR. NIRUPAM SEN, PERMANENT REPRESENTATIVE, ON AGENDA ITEM 97: CRIME PREVENTION AND CRIMINAL JUSTICE & AGENDA ITEM 98 – INTERNATIONAL DRUG CONTROL AT THE THIRD COMMITTEE OF THE 63RD SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 09, 2008

Mr. Chairman,

Let me take this opportunity to thank the Secretary-General for his reports on Agenda items 97 and 98 on 'Crime Prevention and Criminal Justice', and 'International Drug Control'.

After coming here I saw the statement of Executive Director and Under Secretary-General of UNODC. Before I comment on what India is doing and our interests, let me briefly comment on the Under Secretary-General UNODC's statement. He spoke of the dark side of globalisation. In the context of the current financial crisis, globalisation seems to have only dark sides. He also described himself as the Under Secretary-General for Sinister Affairs. I thought he was supposed to be the Under Secretary-General for Countering Sinister Affairs. My basic point, Mr. Chairman, is that it is not necessary to go into philosophical causes. We have to examine the current situation and its immediate concrete causes in order to apply effective solution. The USG sees a correlation between weak economic performance and weak rule of law. Dictatorships without rule of law in the sense we understand it have often been economically successful. Therefore, there is no real correlation. Similarly poverty may magnify a problem but is not the immediate cause. We would be better off therefore building effective law enforcement structures and fashioning a robust law enforcement response internally and externally rather than talking about economic development. I am not suggesting that economic development is not important. It is a separate and crucial imperative but it not the job of UNODC. It has to be left to UNDP, reformed Bretton Woods Institutions and the like. The USG draws another correlation with corruption. Some developed countries are very corrupt, without becoming hot beds of the drug trade. UNODC should, therefore, concentrate on immediate concrete causes and implement an effective strategy based on coordination. Here we certainly welcome his outline of UN wide cooperation in the last section of his speech.

Again the USG attributes illicit drugs in Afghanistan to areas not controlled by the Central Government. Any number of studies and reports by agencies on the ground have shown that the real immediate reasons is the inability of ISAF and UNAMA to provide alternatives to poppy cultivation and the Taliban's using drugs to finance terrorism – a classical case of narco-terrorism. Therefore, I would suggest that USG and UNODC should concentrate on concrete and effective action rather than an examination of philosophical causes. The danger of philosophical approach is evident from one extraordinary contradiction. Mr. Costa states in his speech and I quote: "the countries of Central America and the Caribbean are caught in the cross-fire between the world's largest producers and biggest consumers of cocaine." Here we have a region which is an epicentre, caught in the cross-fire between the biggest drug producers and the consumers: Mr. Costa's response is to close down the UNODC regional office in Barbados which served 29 states and territories. These are the paradoxes of philosophy. The USG UNODC should let us know the reasons for this extraordinary action. If there are funding difficulties, he should let us have proposals which can then be examined in the ACABQ and Fifth Committee and we can find resources and/or encourage voluntary funding.

Mr. Chairman

I notice from the last occasion that the colours on your bulbs change rather quickly. To save time, therefore, I shall read those parts of my statement that concentrate mainly on what India is doing but I am circulating the text of the entire statement with the request it may be made a part of the record. India's commitment to fight the menace of illicit drugs remains steadfast. India is a party to the 1961 Single Convention, the 1971 Convention on Psychotropic Substances and 1988 Convention on Illicit Traffic in Narcotics Drugs and Psychotropic Substances. India is also fully committed to abiding by the Political Declaration and the resolutions adopted at the June 1998 Special Session of the United Nations General Assembly. The Narcotics Drugs and Psychotropic Substances Act, 1985 constitutes the statutory framework for drug law enforcement in India. The Act also incorporates provisions for the control of precursor chemicals. Recognizing the need for financially throttling terrorist organizations and organized crime groups, India has also enacted a comprehensive Anti-Money Laundering Law. I would like to reaffirm that India is strongly committed to continuously working with all the member states in controlling production and trafficking of narcotic drugs.

Mr. Chairman,

The nexus between money laundering, terrorism, transnational organized crime, illicit drugs, and illegal arms transactions is grave, dangerous and destructive. There is a need to reinforce bilateral, regional and international cooperation to combat this nexus.

This is a matter of particular concern to India, which has faced terrorism for the past several decades. Recent incidents reinforce the importance of a strong international resolve and a coordinated global approach to confront the threat posed by terrorism. The adoption of the United Nations Global Counter-Terrorism Strategy in September 2006 was a noteworthy development; however, there is a need to expeditiously adopt the Comprehensive Convention on International Terrorism. We must ensure zero tolerance for all forms of terrorism.

Mr. Chairman,

We appreciate the efforts by UNODC in developing the capacity of various countries, especially in the field of developing a legislative framework for a national counter terrorism mechanism within the criminal justice system. This will go a long way towards promoting its global project on strengthening the legal regime against terrorism. However, UNODC is apparently not able to bridge the gap between requests for technical assistance and resources available to provide the same. We, therefore, support increased resource allocation for UNODC counter-terrorism activities from the UN regular budget as well as through voluntary contributions.

Mr. Chairman,

India is examining in detail the necessary amendments required in its Code of Criminal Procedure for further streamlining the criminal justice system for ensuring fair and speedy justice. We hope that the improvements brought about will reinforce our investigative and prosecution process and machinery. Additionally, as a signatory to the UN Convention against Transnational Organized Crime and its three Protocols, India is taking steps towards their ratification and concurrently entering into bilateral agreements for developing joint programmes to prevent money laundering as well as to counter terrorism and organized crime.

Mr. Chairman,

I would like to reaffirm our strong commitment to fight the menace of illicit drug trafficking, international terrorism and money laundering. This dangerous triad needs to be defeated convincingly. India will work closely with the international community to see that we succeed in our joint efforts.

Thank you, Mr. Chairman.

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