

GUIDELINES FOR THE APPLICATION OF PARAGRAPHS 1 AND 4 OF RESOLUTION 1532 (2004)

Pursuant to paragraphs 1 and 4 of resolution 1532 (2004), the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia (the Committee) shall identify and designate individuals and entities that shall have their funds, financial assets and economic resources frozen by States in accordance with paragraph 1 of resolution 1532 (2004). To facilitate the work of the Committee in that regard, the following procedural guidelines are hereby adopted:

1. List of individuals and entities referred to in paragraph 4 of resolution 1532 (2004) (The Assets Freeze List)

(a) The Committee will identify the individuals and entities referred to in paragraphs 1 and 4 of resolution 1532 (2004) when it receives relevant information;

(b) The names of individuals and entities proposed for identification should be accompanied by, to the extent possible, a narrative description of the information that forms the basis or justification for taking action pursuant to resolution 1532 (2004);

(c) The names of individuals and entities proposed for identification should be accompanied by, to the extent possible, relevant and specific information to facilitate their identification by competent authorities:

-- For individuals: name, date of birth, place of birth, nationality, aliases, residence, passport or travel document number, professional or functional title;

-- For entities: name, acronyms, address, headquarters, subsidiaries, affiliates, fronts, nature of business or activity, leadership;

(d) Details to facilitate the identification of listed individuals and entities by competent authorities shall be included in the list where such information has been made available to the Committee.

2. Updating and Maintaining the Assets Freeze List

(a) The initial assets freeze list established in accordance with resolution 1532 (2004) was published in United Nations Press Release SC/8123, dated 15 June 2004. The list was simultaneously posted on the web page of the Committee and officially transmitted to all Member States through a Note Verbale from the Chairman.

(b) The Committee will consider expeditiously requests to update the list, to be provided through Members States or the relevant United Nations office, and the Committee will update the list regularly on the basis of relevant information it receives.

(c) The Committee will conclude its consideration of requests to update the list within two working days. The Committee may decide to extend the period of consideration in exceptional cases.

(d) The Committee will review the assets freeze list every six months, including in connection with any outstanding requests to delist individuals and/or entities (See section 4, “Delisting,” below).

(e) Additional information and/or corrections received from Member States in connection with names already inscribed on the list will be circulated under the no-objection procedure. If no objections are received, the additional information and/or corrections will be promptly incorporated in the list.

(f) Any modification to the list will be communicated to the Member States promptly through a Note Verbale from the Chairman. A Press Release will also be issued containing the complete updated list. The updated list will be made promptly available on the web page of the Committee.

3. Decision-making

(a) With regard to paragraphs 1 and 4 of resolution 1532 (2004), the Committee will reach decisions by consensus. If consensus cannot be reached, the Chairman should undertake such further consultations as may facilitate agreement. If after these consultations, consensus still cannot be reached, the matter may be submitted to the Security Council. Given the specific nature of the information, the Chairman may encourage bilateral exchanges between interested Member States in order to clarify the issue prior to a decision;

(b) Where the Committee agrees, decisions may be taken by a written procedure. In such cases, the Chairman will circulate to all members of the Committee the proposed decision of the Committee, under the “no-objection” procedure. If no objection is received within the no-objection period, the decision will be deemed adopted.

(c) With regard to paragraphs 1 and 4 of resolution 1532 (2004), the no-objection period will be two working days. The Committee may decide to extend the no-objection period in exceptional cases.

4. Delisting

(a) Without prejudice to available procedures, a petitioner (individual(s), and/or entities on the 1521 Committee’s assets freeze list) may petition the government of residence and/or citizenship to request review of the case. In this regard, the petitioner should provide justification for the de-listing request, offer relevant information and request support for de-listing;

(b) The government to which a petition is submitted (the petitioned government) should review all relevant information and then approach bilaterally the government(s) originally proposing designation (the designating government(s)) to seek additional information and to hold consultations on the de-listing request;

- (c) The original designating government(s) may also request additional information from the petitioner's country of citizenship or residency. The petitioned and the designating government(s) may, as appropriate, consult with the Chairman of the Committee during the course of any such bilateral consultations;
- (d) If, after reviewing any additional information, the petitioned government wishes to pursue a de-listing request, it should seek to persuade the designating government(s) to submit jointly or separately a request for de-listing to the Committee. The petitioned government or the relevant United Nations office may, without an accompanying request from the original designating government(s), submit a request for de-listing to the Committee, pursuant to the no-objection procedure described in paragraphs 3 (b) and 3 (c) above.
- (e) The Chairman will send an interim response to any delisting request that is not considered within the standard two-day consideration period or a reasonable extension thereof.
5. **Assistance to States in tracing and freezing funds, other financial assets and economic resources**
- (a) In accordance with paragraph 4 (c) of resolution 1532 (2004), the Committee will assist States, where necessary and to the extent that it is able, in tracing and freezing the funds other financial assets and economic resources of listed individuals and entities.
- (b) States wishing to receive such assistance should submit a written request to the Chairman of the Committee which clearly describes the type and scope of assistance being requested.
6. **Information from States regarding the actions they have taken**
- (a) pursuant to paragraph 4 (d) of resolution 1532 (2004), the Committee welcomes information from States regarding the actions taken by them to trace and freeze such funds, other financial asserts and economic resources.
- (b) In the Note Verbale dated 14 June 2004 and transmitted to all States (described in section 2 (a) above), the Chairman of the Committee reminded States that the Security Council had decided, in resolution 1532 (2004), that the Committee should seek from all States information regarding the actions taken by them to trace and freeze the relevant funds, other financial asserts and economic resources.

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