

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and Associated Individuals and Entities

Open briefing on 1 July 2009

I. Introduction and Overview

I would like to welcome all Member States present at this open briefing in which I would like to inform you - together with the Coordinator of the Monitoring Team, Mr. Richard Barrett - about the activities of the Committee in 2009. The briefing will be followed by a question and answer session. These regular open briefings are very important as they enhance the transparency of our work and the dialogue with Member States.

I assumed the chairmanship of the Al-Qaida and Taliban Sanctions Committee in January 2009 and I would like to use this opportunity to thank my predecessors, Ambassadors Johan Verbeke and Jan Grauls (Belgium), for their excellent work in steering the Committee in 2007 and 2008.

In 2009, the main focus of the Committee's work has been the implementation of resolution 1822 (2008). The Committee held 1 formal and 12 informal meetings. For the conduct of its work and in order to be able to implement the resolution, the Committee adopted a revised version of the Committee's Guidelines in December 2008. The updated version is available in all official UN languages on the Committee's website¹, copies will be distributed today.

I would like to highlight the following points of the Committee's work:

II. Review pursuant to paragraph 25 of Security Council resolution 1822 (2008)

The Security Council directed the Committee in SC Res. 1822 "*to conduct a review of all names on the Consolidated List at the date of the adoption of this resolution by 30 June 2010 (...)*". The review process pertains to 488 names and is one of the key priorities of the Committee. The procedure for conducting this review is detailed in Section 9 of the Committee's Guidelines. Today, I would like to explain the process and report on the progress achieved so far.

Pursuant to the Guidelines, each trimester the Committee circulates a subset ("batch") of names to the designating State(s) and the State(s) of residence and/or nationality. The States are requested to submit to the Committee, within a three-month period, any updated information on the reasons for listing, as well as any additional identifying or other information. Reviewing States are also requested to indicate whether they deem the listing remains appropriate. If States are of the view that listing is no longer appropriate, they may submit a de-listing request in accordance with the guidelines.

¹ http://www.un.org/sc/committees/1267/pdf/1267_Guidelines.pdf.

The Committee started sending letters to Member States in December 2008, immediately after adoption of the Guidelines. As of today, the Committee has sent out three batches, initiating the review of 287 names on the Consolidated List. Two more batches with the remaining 201 names will be circulated to the respective States in August and November.

I would like to give you some figures to show how the Committee proceeds with the review:

- **First batch:** sent out on 19 December, contained 52 names. The deadline for States to answer expired on 19 March. We sent letters to 29 States, so far 13 States replied substantially (4 MS indicated that they need more time, 12 MS have not yet replied).
- **Second batch:** sent out on 25 February, the deadline for replies expired on 25 May. The batch contained 106 names, 69 states received letters from the Committee, so far 30 States replied, 4 informed that they needed more time, 35 States have not yet replied (= half of the states)
- **Third batch:** sent out on 29 May, 129 names, letters to 31 states. The deadline will expire on 29 August.

In this context, I would like to call upon all States to **thoroughly review each name and to do their utmost to submit their replies to the Committee within the stated period**, or inform us if more time is needed. The Committee very much depends on the **cooperation and assistance of Member States in order to be able to successfully complete the review process within the time-frame set by the Council, 30 June 2010.**

Timely replies from Member States are crucial: the second step, the circulation of all available information to members of the Committee and the Monitoring Team is only possible, once the replies from the reviewing States have been received. As a third step, Committee Members have a one-month period to review all information available and to provide further input. After this one-month period, the names are **placed on the Committee's agenda**. So far, the Committee received the necessary reply letters with regard to **30 names (out of 488!)**, **14 names were placed on the Committee's agenda** in May and June: **for 9 names the listing was confirmed, for 5 names** the review still pending as the Committee is of the view that further information is necessary to take a decision. 16 names will be put on the agenda in July.

In these meetings, Committee members evaluate all available information, consider whether listing remains appropriate taking into account the "associated with-criteria", and consider updating the Consolidated List and/or narrative summaries on the basis of the additional information provided. In cases where a member of the Committee determines that a listing is no longer appropriate, it may submit a delisting request.

Possible outcome of the review process:

- Decision to update the Consolidated List and/or narrative summary of reasons for listing (e.g. adding identifiers)
- If not enough information is available, the Committee considers requesting additional information;
- If a delisting request is submitted, the Committee could take the decision to remove a name from the Consolidated List;

- If no delisting request is submitted or no decision is made to remove a name under review from the Consolidated List, the listing of a name is confirmed to remain appropriate;

After the review has been finalized in the Committee, the Secretariat notifies the States of residence and/or nationality and designating States about the outcome.

It is my personal commitment to ensure that the review process is conducted seriously and thoroughly and also the Committee members put a lot of effort in this task.

III. Narrative summaries of reasons for listing

In resolution 1822 (2008), the Security Council also directed the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website a narrative summary of reasons for listing for each entry on the consolidated list. The Committee, supported by the Monitoring Team, is currently working to produce all the narrative summaries.

The process of drafting the narrative summaries and the review are linked, in order not to put twice the burden on the Member States. MS receive the draft narrative summaries within the 3-month deadline they have for reviewing the names, and there is the same deadline for submitting answers to the review and the narrative summaries. Richard Barrett will give further explanation and information on the narrative summaries.

IV. The Committee's Consolidated List

As of today, the Consolidated List comprises 513 names: 402 persons (260 associated with Al-Qaida and 142 associated with the Taliban) and 111 entities. In 2009, the Consolidated list has been updated 14 times: seven individuals associated with Al-Qaida were added to the List; amendments have been made with regard to 45 individuals and 30 entities and there has been one technical correction. On behalf of the Committee, I would like to thank all Member States which have contributed to improving the quality of the Consolidated List by sharing new information. Our common objective should be a **dynamic list** that addresses the evolution of the threat posed by Al-Qaida and Taliban.

In cases of **new listings** a further improvement was introduced this year: the Committee now includes in communications to the membership (and in its press release on new listings) **the publicly releasable portions of the respective statement of case**. The Committee trusts that making publicly available a statement of case following a new listing will further improve the transparency and effective implementation of sanctions. In this context, I would like to inform that the Committee is currently working on a **new cover sheet** for listing requests and on a **new, more user friendly format of the Consolidated List**.

The Committee is facing several challenges with regard to the Consolidated List: there are a number of names of persons on the list who are reported to be **dead**, or cases where a

continued listing may no longer seem to be appropriate. Other entries have very **few identifiers** and do not contain sufficient information to allow for the positive identification of the party concerned. For these entries, the application of the sanctions measures is very difficult, but at the same time they can affect unintended and innocent individuals. The review is an ideal opportunity to check these entries, add additional identifiers or to remove names from the list for which listing is not considered appropriate anymore. The Committee has also considered the issue of deceased persons. Acknowledging the importance of addressing this issue, the Committee decided to undertake a review of this list of deceased persons in the framework of the general review pursuant to paragraph 25 of resolution 1822.

V. Exemptions to the sanctions measures

Another important issue which I would like to highlight are the provisions for exemptions to the sanctions measures: Res 1452 (2002) introduced **exemptions to the assets freeze** and paragraph 1 (b) of Res. 1822 provides for the **exemption to the travel ban**. I would like to encourage Member States to make use of these exemption regimes. **Fact sheets** on this issue are available on the Committee's webpage and will be distributed today, and the concrete procedures are set out in the **Committee's Guidelines**.

In 2009, the Committee received 10 notifications for exemptions to the assets freeze for basic expenses under paragraph 1(a) of resolution 1452 (2002) – of which one is still under consideration – and one request for an exemption for extraordinary expenses under paragraph 1(b). The Committee received the first request for an exemption to the travel ban. The request was granted for the days of travel.

VI. Ninth Report of the Monitoring Team

As requested by resolution 1822 (2008), the Monitoring Team submitted its ninth report to the Committee at the end of February. After the translation in all official UN languages, the report was transmitted to the Security Council, published as a UN document (S/2009/245) and put on the Committee's website. The Committee is at the last stage of its consideration of the report and its more than 40 recommendations. In due course, the Committee will inform the Security Council of its position on the Team's recommendations. The Monitoring Team will submit its tenth report to the Committee at the end of July 2009.

VII. Outreach

Cooperation and interaction with Member States are essential elements in the work of the Committee. The Coordinator of the Monitoring Team will inform you about country visits, participation in workshops and other related activities.

On 9 February, the Committee met with a **high-level delegation from Algeria**, which gave a comprehensive overview of Algeria's efforts to counter terrorism related to Al-Qaida. I would like to stress that this kind of dialogue between the Committee and Member States is

very much appreciated and I would like to recall that there is a **standing invitation to all Member States** to meet with the Committee and discuss relevant issues and to voluntarily brief on implementation efforts.

In June I participated together with the Coordinator of the Monitoring Team in an international meeting of Heads of Special Services and Security Agencies in Irkutsk, Russia and intend to travel to Brussels and meet with the EU Institutions in October.

VIII. Conclusion

Before concluding, I would like to take the opportunity to thank the members of the Monitoring Team and the 1267-Secretariat for their invaluable contribution to the work of the Committee. Especially with the review-process and the drafting of the narrative summaries, there is an enormous additional amount of work which has to be dealt.

As I already stated in the Security Council on 26 May, the implementation of resolution 1822 (2008) and the review of names on the Consolidated List is a very important stage of the Committee's work. The review is essential to ensure that the List is as accurate and updated as possible in order to help Member States to effectively implement the sanctions measures. The Committee's efforts to conduct the review and to make the narrative summaries of reasons for listing accessible on its website are also important elements in order to further improve transparency and fair and clear procedures/due process of the 1267 sanctions regime. Further steps towards ensuring and strengthening fair and clear procedures, as stated in resolution 1822 (2008), may be sought in the next resolution which is due at the end of 2009.

However, the success of the review process and the Committee's work in general does not only depend on the work of the members of the Committee, but most importantly on the **support by all Member States involved**. I would therefore like to use today's opportunity to ask for your cooperation and engagement which is essential to fully implement resolution 1822 and complete the review process by the deadline in June 2010.

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