

SECURITY COUNCIL COMMITTEE ESTABLISHED  
PURSUANT TO RESOLUTION 1988 (2011)

**GUIDELINES OF THE COMMITTEE FOR THE CONDUCT OF ITS WORK**  
(Adopted on 30 November 2011)

**1. The 1988 Sanctions Committee**

- (a) The Committee of the Security Council established by paragraph 30 of Security Council resolution 1988 (2011) of 17 June 2011 is known as the 1988 Sanctions Committee. For the purposes of these guidelines, the 1988 Sanctions Committee shall hereinafter be referred to as “the Committee.”
- (b) The Committee is a subsidiary organ of the Security Council and will consist of all Members of the Council.
- (c) The Chairperson of the Committee will be appointed by the Security Council to serve in his/her personal capacity. The Chairperson will be assisted by two delegations who will act as Vice-Chairpersons, and who will also be appointed by the Security Council.
- (d) The Chairperson will chair meetings of the Committee. When the Chairperson is unable to chair a meeting, the Chairperson will nominate one of the Vice-Chairpersons or another representative of his/her Permanent Mission to act on his/her behalf.
- (e) The Secretariat of the Committee will be provided by the Secretariat of the United Nations.

**2. Mandate of the Committee**

The mandate of the Committee shall be, on the basis of the measures imposed by paragraph 1 of resolution 1988 (2011), to undertake the tasks assigned to it by Security Council resolution 1988 (2011), as specified in paragraph 30 of the same resolution.

**3. Meetings of the Committee**

- (a) Meetings of the Committee, both formal and informal, will be convened at any time the Chairperson deems necessary, or at the request of a Member of the Committee. To the extent possible, four working days notice will be given for any meeting of the Committee, although shorter notice may be given in urgent situations.
- (b) The Committee will meet in closed sessions, unless it decides otherwise. The Committee may invite any Member of the United Nations to participate in the discussion of any question brought before the Committee in which interests of that Member are specifically affected. The Committee will consider requests from Member States and relevant international organizations to send representatives to meet with the Committee as described in section 14 paragraph (e). The Committee may invite members of the Secretariat or other persons to provide the Committee with appropriate expertise or information or to give it other assistance in examining matters within its competence.
- (c) The Committee may invite the members of the Monitoring Team established pursuant to paragraph 7 of resolution 1526 (2004) and representatives of the United Nations Assistance Mission in Afghanistan (“UNAMA”) to attend meetings as appropriate.

#### 4. **Decision-making**

- (a) The Committee shall make decisions by consensus of its Members. If consensus cannot be reached on a particular issue, including listing and delisting, the Chairperson 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 by the member concerned.
- (b) Where the Committee agrees, decisions may be taken by a written procedure. In such cases the Chairperson will circulate to all Members of the Committee the proposed decision of the Committee, and will request Members of the Committee to indicate any objection they may have to the proposed decision within five full working days (or in urgent situations, such shorter period as the Chairperson shall determine). Listing and delisting requests, together with all relevant information in accordance with the guidelines, as assessed by the Chairperson, shall be considered in accordance with section 7 paragraph (l) and section 8 paragraph (q) respectively. If no objection is received within the specified period, the decision will be deemed adopted. Communications submitted to the Committee pursuant to resolution 1452 (2002) shall be considered in accordance with the procedure determined by that resolution, as revised by resolution 1735 (2006).
- (c) If a Committee Member requests more time to consider a proposal, the Secretariat shall inform the other Committee Members. The Secretariat shall include the matter in the list of pending issues and inform the State(s) submitting the request that the matter is still under the Committee's consideration. If the Committee Member concerned requires additional information to resolve the pending matter, it may ask the Committee to request additional information on that specific matter from the State(s) concerned. The Committee Member concerned shall provide updates after three months on its progress in resolving the pending matter.
- (d) The Committee shall ensure that no matter is left pending for a period longer than six months. At the end of the six month period, and without prejudice to the provisions set out in paragraph (a) above, the pending matter shall be deemed approved unless
  - (i) a Committee Member concerned has objected to the proposal; or
  - (ii) the Committee determines, at the request of a Committee Member concerned, on a case-by-case basis that extraordinary circumstances require additional time to consider the proposal and extends the time for consideration by up to three months at the end of the six month period. At the end of this additional period, the pending matter shall be deemed approved unless the Committee Member concerned has objected to the proposal.

The Secretariat shall immediately take the necessary steps, including updating the 1988 Sanctions List, and inform the State(s) concerned about the Committee's decision.
- (e) The Committee will review once a month, as necessary, the status of pending issues as updated by the Secretariat, including updates provided by Committee Members.
- (f) A hold placed on a matter by a Member of the Committee will cease to have effect at the time its membership of the Committee ends. New Members shall be informed of all pending matters one month before their membership of the Committee begins and shall

inform the Committee of their position on relevant matters, including possible approval, objection or hold, by the time they become Members.

**5. Cooperation with the Government of Afghanistan**

- (a) The Committee will engage in continued cooperation with the Government of Afghanistan on issues related to its mandate.
- (b) The Committee will invite representatives of the Government of Afghanistan to provide periodic briefings including on the impact of the targeted sanctions on deterring threats to the peace, stability and security of Afghanistan and supporting Afghan-led reconciliation, as appropriate.
- (c) The Committee will request the Government of Afghanistan to identify a national contact point for consultations in connection with listing requests, as appropriate, and coordination in connection with delisting requests, as appropriate. The Committee will request the Secretariat to publicize the contact details of the contact point on the Committee's website. Until the Afghan Government has identified and communicated such national contact point, the Committee will consider the Afghan Mission to the United Nations and the National Security Council in Kabul as relevant points of contact for these matters.
- (d) The Chair, with support of the Secretariat and the Monitoring Team shall facilitate contacts between the Government of Afghanistan and State(s) considering the proposal of listing or delisting requests, as appropriate.

**6. The 1988 Sanctions List**

- (a) The Committee will maintain one List for individuals, groups, undertakings, and entities designated pursuant to the criteria set out in paragraphs 3 and 4 of resolution 1988 (2011), known as the "1988 Sanctions List".
- (b) The Committee will update regularly the 1988 Sanctions List when it has agreed to include or delete relevant information in accordance with the procedures set out in these guidelines.
- (c) The updated 1988 Sanctions List will be made promptly available on the website of the Committee. At the same time, any modification to the 1988 Sanctions List will be communicated to Member States immediately through Notes Verbales, including an electronic advance copy, and United Nations Press Releases.
- (d) Once the updated 1988 Sanctions List is communicated to Member States, States are encouraged to circulate it widely, such as to banks and other financial institutions, border points, airports, seaports, consulates, customs agents, intelligence agencies, alternative remittance systems and charities.

**7. Listing**

- (a) The Committee will consider designations of individuals, groups, undertakings, and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan on the basis of the criteria contained in paragraphs 3 and 4 of resolution 1988 (2011).

- (b) The Committee shall consider including new names based on submissions received from Member States in line with paragraph 10 of resolution 1988 (2011).
- (c) When a Member State is considering the proposal of a new designation, where appropriate, it is called upon to consult with the Government of Afghanistan on the designation prior to submission to the Committee through the national contact point identified by the Government of Afghanistan as outlined in section 5 paragraph (c).
- (d) When a Member State is considering the proposal of a new designation it is also encouraged to seek advice from UNAMA, where appropriate, and may seek advice from the Monitoring Team as well.
- (e) Before a Member State proposes a name for inclusion on the 1988 Sanctions List, it is encouraged, to the extent possible, to approach the State(s) of residence and/or nationality of the individual or entity concerned to seek additional information.
- (f) States are advised to submit names as soon as they gather the supporting evidence for designations of individuals/entities associated with the Taliban, in constituting a threat to the peace, stability and security of Afghanistan.
- (g) When submitting names of groups, undertakings and/or entities, States are encouraged, if they deem it appropriate, to propose for listing at the same time the names of the individuals responsible for the decisions of the group, undertaking and/or entity concerned.
- (h) When proposing names for inclusion on the 1988 Sanctions List, Member States should use the standard forms for listing available on the Committee's website, provide information, where appropriate, on any consultations with the Government of Afghanistan and shall include as much relevant and specific information as possible on a proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of the individual, group, undertaking or entity concerned by competent authorities, and to the extent possible, information required by INTERPOL to issue a Special Notice, including:
  - For individuals: family name/surname, given names, other relevant names, date of birth, place of birth, nationality/citizenship, gender, aliases, employment/occupation, State(s) of residence, passport or travel document and national identification number, current and previous addresses, current status before law enforcement authorities (e.g. wanted, detained, convicted), location.
  - For groups, undertakings or entities: name, registered name, short name(s)/acronyms, and other names by which it is known or was formerly known, address, headquarters, branches/subsidiaries, organizational linkages, parent company, nature of business or activity, State(s) of main activity, leadership/management, registration (incorporation) or other identification number, status (e.g. in liquidation, terminated), website addresses.

The Monitoring Team shall be prepared to assist Members States in this regard.

- (i) Member States shall provide a detailed statement of case in support of the proposed listing that forms the basis or justification for the listing in accordance with the relevant

resolutions. The statement of case should provide as much detail as possible on the basis(es) for listing, including but not limited to: (1) specific information demonstrating that the individual/entity meets the criteria for listing set out in paragraphs 3 and 4 of resolution 1988 (2011); (2) details of any connection with a currently listed individual or entity; (3) information about any other relevant acts or activities of the individual/entity; (4) the nature of the supporting evidence (e.g. intelligence, law enforcement, judicial, open source information, admissions by subject, etc.); (5) additional information or documents supporting the submission as well as information about relevant court cases and proceedings. The statement of case shall be releasable, upon request, except for the parts the designating State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in section 10 below.

- (j) Member States proposing a new designation, as well as Member States that have prior to the adoption of resolution 1988 (2011) proposed names for inclusion in sections A (“individuals associated with the Taliban”) and section B (“entities and other groups and undertakings associated with the Taliban”) of the Consolidated List previously maintained by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, should specify whether the Committee, or the Secretariat on its behalf, may make known, upon request from another Member State, their status as designating State(s).
- (k) Member States may co-sponsor a new designation as long as the listing request is within the Committee’s decision making period. These States will also be considered designating States and should also specify whether the Committee may make known, upon request from another Member State, their status as designating State(s).
- (l) The Committee will consider listing requests within a period of ten full working days, which may be shortened, if requested, at the Chairperson’s discretion, for emergency and time-sensitive listings. If a proposal for listing is not approved within the decision-making period, the Committee will notify the submitting State on the status of the request.
- (m) Committee Members and the Monitoring Team are called upon to share with the Committee any information available regarding a listing request to help inform the Committee’s decision and provide additional material for the narrative summary of reasons for listing.
- (n) Upon request of a Committee Member, listing requests may be placed on the Committee’s agenda for more detailed consideration. If deemed necessary, the Committee may request additional background information from the Monitoring Team and/or the designating State(s). Following consideration by the Committee, the Chairperson shall circulate the listing request under the written decision-making procedure as described in section 4 paragraph (b) and section 7 paragraph (l) above.
- (o) At the same time a name is added to the 1988 Sanctions List, the Committee shall, with the assistance of the Monitoring Team and in coordination with the relevant designating State(s), make accessible on the Committee’s website a narrative summary of reasons for listing for the corresponding entry or entries. In addition to the narrative summary, the Secretariat shall, promptly after a name is added to the 1988 Sanctions List, publish on the Committee’s website all relevant publicly releasable information, where available.

- (p) In its communication informing Member States of new entries to the 1988 Sanctions List, the Secretariat shall include the narrative summary of reasons for listing.
- (q) Unless the Committee decides otherwise, the Secretariat shall request INTERPOL to issue, where feasible, an INTERPOL-United Nations Security Council Special Notice for each name added to the list.
- (r) As soon as a name is added to the 1988 Sanctions List, the Committee requests the Secretariat to communicate the decision in writing to the Government of Afghanistan, through the contact point described in section 5 paragraph (c) above, and the Permanent Mission of Afghanistan to the United Nations, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national (to the extent this information is known).
- (s) The Secretariat shall include with this communication a copy of the narrative summary of reasons for listing, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting delisting requests to the Focal Point mechanism established in resolution 1730 (2006), and the provisions for available exemptions.
- (t) The letter shall remind States receiving such notification of listings that they should take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the newly listed individuals and entities on the 1988 Sanctions List of the measures imposed on them, any information on reasons for listing available on the Committee's website as well as all the information provided by the Secretariat in the above-mentioned communication.
- (u) In addition, in its communication, the Secretariat shall invite States to provide in accordance with national law details on measures taken to freeze assets of the individuals or entities concerned.

## **8. Delisting**

- (a) The Committee will decide on requests to delist an individual, group, undertaking or entity in accordance with the criteria set out in paragraph 18 of resolution 1988 (2011) and in accordance with the principles set out in paragraph 21 of the same resolution, where relevant.
- (b) Member States may at any time submit to the Committee requests for delisting of individuals, groups, undertakings, and/or entities inscribed on the 1988 Sanctions List.
- (c) Member States are called upon to coordinate delisting requests, as appropriate, with the Government of Afghanistan through the national contact point identified in connection with section 5 paragraph (c).
- (d) Member States are encouraged to bilaterally consult with the designating State(s), the State(s) of nationality, residence or incorporation, where applicable.
- (e) A petitioner (individual(s), groups, undertakings, and/or entities on the 1988 Sanctions List) can submit a request for delisting either directly to the Focal Point as outlined in paragraph

- (n) below or through his/her State of residence or nationality as outlined in paragraph (b) above.
- (f) A State can decide, that as a rule, its nationals or residents should address their delisting requests directly to the Focal Point. The State will do so by a declaration addressed to the Chairperson that will be published on the Committee's website.
- (g) Any delisting request submitted through the Office of the Ombudsperson established pursuant to resolution 1904 (2009) shall be transferred to the Focal Point described in paragraph (n) below.
- (h) When submitting a delisting request, the standard form for delisting, available on the Committee's website, should be used.
- (i) The delisting request should describe coordination efforts with the Government of Afghanistan regarding the delisting request, where appropriate, and should explain why the individual, group, undertaking or entity concerned no longer meets the criteria described in paragraphs 3 and 4 of resolution 1988 (2011). Any documentation supporting the request can be referred to and/or attached together with the explanation of its relevance, where appropriate. The information supporting the delisting request should be provided when the request is submitted.
- (j) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines in line with paragraph 18 of resolution 1988, or, in the case of individuals reconciled under the Strengthening Peace Program, documentation attesting to their reconciliation under the previous program; as well as current address and contact information.
- (k) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraphs 3 and 4 resolution 1988 (2011) should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information.
- (l) For a deceased individual, the delisting request should be submitted either directly to the Committee by a State, or to the Focal Point by the deceased individual's legal beneficiary, together with official documentation certifying that status. The delisting request shall include an official statement of death from the state of nationality, residence, or other relevant state. The official statement of death should include, to the extent possible, the full name, permanent reference number, date of birth, and the date and place of death of the individual, as well as any further information about the circumstances of the death. The submitting State or the petitioner should also ascertain and inform the Committee whether or not any legal beneficiary of the deceased's estate or any joint owner of his/her assets is on the 1988 Sanctions List, and to the extent possible, inform the Committee about the names of any individuals or entities who would be in a position to receive any unfrozen assets of a deceased individual or defunct entity. In cases where individuals have no frozen assets, the Committee will accept as sufficient for delisting an official communication from the State(s) of nationality and residence declaring the financial status of the individuals in question, without prejudice to the final decision of the Committee.

- (m) The Chairperson, with the support of the Secretariat, shall facilitate contacts between the State requesting the delisting and the designating State(s). The Chairperson shall circulate the request, including, as appropriate, additional information provided by the Monitoring Team, under the written procedure as described in section 4 paragraph (b) above and section 8 paragraphs (o) and (p) below. Upon request of a Member of the Committee, the delisting request shall be placed on the Committee's agenda for more detailed consideration. If deemed necessary, the Committee may request additional background information from the Monitoring Team and/or the State(s) concerned and may invite these States to submit their views within a period of one month. Following consideration by the Committee, the Chairperson shall circulate the delisting request under the written procedure as described in section 4 paragraph (b) above and section 8 paragraphs (o) and (p) below.
- (n) If a petitioner chooses to submit a petition to the Focal Point, the latter would perform the following tasks:
- i. Receive delisting requests from a petitioner (individual(s), groups, undertakings and/or entities on the 1988 List);
  - ii. Verify if the request is new or is a repeated request;
  - iii. If it is a repeated request and if it does not contain any additional information, return it to the petitioner;
  - iv. Acknowledge receipt of the request to the petitioner and inform the petitioner on the general procedure for processing that request;
  - v. Forward the request, for their information and possible comments to the designating State(s) and to the State(s) of nationality and residence. These States are urged to review delisting petitions in a timely manner and indicate whether they support or oppose the request in order to facilitate the Committee's review. The State(s) of nationality and residence are encouraged to consult with the designating State(s) before recommending delisting. To this end, they may approach the Focal Point, which, if the designating State(s) so agree(s), will put them in contact with the designating State(s);
  - vi.
    - a. If, after these consultations, any of these States recommend delisting, that State will forward its recommendation, either through the Focal Point or directly to the Chairperson, accompanied by that State's explanation. The Chairperson will then place the delisting request on the Committee's agenda;
    - b. If any of the States which were consulted on the delisting request under subparagraph v. above oppose the request, the Focal Point will so inform the Committee and provide copies of the delisting request. Any member of the Committee, which possesses information in support of the delisting request, is encouraged to share such information with the States that reviewed the delisting request under subparagraph v. above;

- c. If, after a reasonable time (three months), none of the States which reviewed the delisting request under subparagraph v. above comment, or indicate that they are working on the delisting request to the Committee and require an additional definite period of time, the Focal Point will so notify all members of the Committee and provide copies of the delisting request. Any member of the Committee may, after consultation with the designating State(s), recommend delisting by forwarding the request to the Chairperson, accompanied by an explanation. (Only one member of the Committee needs to recommend delisting in order to place the issue on the Committee's agenda.) If after one month, no Committee member recommends delisting, then it shall be deemed rejected and the Chairperson shall inform the Focal Point accordingly;
  - vii. The Focal Point shall convey all communications, which it receives from Member States, to the Committee for its information;
  - viii. Inform the petitioner of the decision of the Committee to grant the delisting petition; or that the process of consideration of the delisting request within the Committee has been completed and that the petitioner remains on the list of the Committee.
- (o) When considering delisting requests, the Committee shall give due consideration to the opinions of designating State(s), State(s) of residence, nationality or incorporation.
- (p) When considering delisting requests, the Committee shall give due regard to requests for removal of individuals that meet the reconciliation conditions agreed to by the Government of Afghanistan and the international community, which include the renunciation of violence, no links to international terrorist organizations, including Al-Qaida, or any cell, affiliate, splinter group, or derivative thereof, and respect for the Afghan Constitution, including the rights of women and persons belonging to minorities.
- (q) The Committee shall decide delisting requests within a period of ten full working days, which may be shortened as appropriate, if requested and in exceptional circumstances, at the Chairperson's discretion, for emergency and time-sensitive delistings after previously informing the Members of the Committee. After this period, the Secretariat shall inform the Members of the Committee whether an objection has been received and whether the 1988 Sanctions List will be updated accordingly, where appropriate.
- (r) Committee Members are called on to provide reasons for objecting to delisting requests. The Chairperson shall request Committee members that have objected to delisting requests to provide their reasons for objecting to such requests. If the Committee decides to reject a delisting request, the Committee shall convey to the petitioner, through the Focal Point or the State(s) concerned, its decision following the respective procedures outlined in section 8 paragraph (v) below.
- (s) The Chairperson will inform the Government of Afghanistan immediately after the Committee has made a decision to remove a name from the 1988 Sanctions List. As soon as the Committee has made a decision to remove a name from the 1988 Sanctions List, the Secretariat shall communicate the decision in writing to: the Government of Afghanistan through the contact point described in section 5 paragraph (c) and the Permanent Mission of Afghanistan to the United Nations; the Permanent Mission of the State(s) in which the individual or entity is believed to be located; and, in the case of non-Afghan individuals or

entities, the State(s) of which the person is believed to be a national, (to the extent this information is known).

- (t) The written communication shall remind States receiving notification of delistings that they are required pursuant to resolution 1988 (2011) paragraph 24 to take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner.
- (u) The Secretariat will also concurrently, if an INTERPOL-UNSC Special Notice exists for the relevant name, request INTERPOL to cancel that notice as well as provide confirmation when the Special Notice has been cancelled.
- (v) If a delisting request submitted by a Member State is rejected, the Secretariat shall communicate this information in writing to: the Government of Afghanistan through the contact point described in connection with section 5 paragraph (c) and the Permanent Mission of Afghanistan to the United Nations, the Permanent Mission of the State submitting the request, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national (to the extent this information is known). The Chairperson shall request Committee members that have objected to the request to provide their reasons for objecting to the delisting request.
- (w) The communication shall include the Committee's decision to retain the listing and, where available, an updated narrative summary of reasons for listing, any other publicly releasable information about the Committee's decision, as well as other relevant information described in section 7 paragraph (s) above.
- (x) The communication shall remind States receiving such notification of continued listing that they should take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity in a timely manner of the continued listing and to provide copies of all the information conveyed by the Secretariat in the above-mentioned communication.
- (y) All Member States are requested to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for designation under paragraph 1 of resolution 1988 (2011).
- (z) The Government of Afghanistan is requested to provide to the Committee an annual report of the status of reportedly reconciled individuals who have been delisted by the Committee in the previous calendar year.
- (aa) The Committee will consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 3 of resolution 1988 (2011), including by engaging in acts inconsistent with the reconciliation conditions outlined in paragraph 18 of resolution 1988 (2011).
- (bb) The Government of Afghanistan or other Member States are requested, where appropriate, to submit a request to add that individual's name back on the 1988 Sanctions List.

## **9. Updating the Existing Information on the 1988 Sanctions List**

- (a) The Committee shall consider expeditiously, in accordance with the following procedures, any information supplied by Member States, regional or international organizations, UNAMA, or the Monitoring Team, in particular additional identifying information and other information, along with supporting documentation, including updates on the operating status of listed individuals, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events as well as any relevant court decisions and proceedings, as such information becomes available, and shall decide which information would improve the existing information on the 1988 Sanctions List.
- (b) The Committee will consider any additional information on listed individuals or entities submitted to it by Member States, regional or international organizations, UNAMA, or the Monitoring Team. The Committee or the Monitoring Team, at the Committee's request, may approach the original designating State(s) and consult with it on the relevance of the submitted additional information. The Committee may also encourage Member States or regional or international organizations providing such additional information to consult with the original designating State(s). The Secretariat will, subject to the designating State's consent, assist in establishing the appropriate contacts.
- (c) The Monitoring Team will, as appropriate, review any and all information received by the Committee in order to clarify or confirm such information. In this connection, the Monitoring Team will use all sources available to it, including other sources than those provided by the original designating State(s).
- (d) The Monitoring Team will subsequently advise the Committee, within four weeks, if such information could be included in the 1988 Sanctions List, or if further clarification is recommended in order to ascertain that the information received can be incorporated in the 1988 Sanctions List. The Committee shall decide whether and how such clarification should be obtained and may again call upon the expertise of the Monitoring Team.
- (e) The Monitoring Team may also submit to the Committee any information on listed individuals and entities it has obtained from publicly available official sources, or with the help of United Nations agencies, such as UNAMA, with their agreement. In such cases, the Monitoring Team shall identify the source of each piece of new information when presenting it for the Committee's consideration.
- (f) Upon the decision of the Committee to incorporate additional information into the 1988 Sanctions List, the Committee will inform the Member State or regional or international organization that submitted the additional information accordingly.
- (g) Any additional relevant information submitted to the Committee that is not incorporated into the 1988 Sanctions List or the narrative summary of reasons for listing will be stored by the Monitoring Team in a database for the use of the Committee and the Monitoring Team in carrying out their respective mandates. Upon request, the Committee shall share any such additional information with Member States whose nationals, residents or entities have been included on the 1988 Sanctions List provided that the information is publicly releasable or the provider of the information has agreed to its release. The Committee may also call on the Monitoring Team to assist in conveying such additional relevant information to the requesting State(s). On a case-by-case basis the Committee may decide to release the information to other parties, with the prior consent of the submitting State.

## **10. Narrative Summaries of Reasons for Listing**

- (a) For all entries on the 1988 Sanctions List, the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating State(s), shall continue to make accessible on its website narrative summaries of reasons for listing.
- (b) When a new name is proposed for listing, the Monitoring Team shall immediately prepare, in coordination with the relevant designating State(s), a draft narrative summary for the Committee's consideration which shall be circulated together with the corresponding listing request. The narrative summary shall be made accessible on the Committee's website at the same time a name is added to the 1988 Sanctions List.
- (c) Draft narrative summaries should be based on information provided by the designating State(s), Committee members or the Monitoring Team, including the statement of case, the standard form for listing, any other official information provided to the Committee or any other relevant information publicly available from official sources.
- (d) The narrative summary should include: the date of listing; the basis(es) for listing according to the relevant resolutions adopted by the Security Council, i.e. specific information demonstrating that the individual or entity meets the criteria for listing set out in the relevant resolutions; information about any acts or activities of the individual/entity associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan pursuant to paragraphs 3 and 4 of resolution 1988 (2011); the names and permanent reference numbers of other entries on the 1988 Sanctions List associated with the listed party; any other relevant information available at the date or after the date of listing such as relevant court decisions and proceedings as provided by the designating State(s) or other Member States concerned; the date(s) when the narrative summary was first made accessible on the Committee's website and when it was reviewed or updated.
- (e) If the Committee decides to grant a delisting request, the Secretariat shall immediately remove the corresponding narrative summary from the Committee's website. If the Committee decides to reject a delisting request, the Monitoring Team shall prepare an updated draft narrative summary for the Committee's consideration reflecting the date of the Committee's decision to reject a delisting request as well as any relevant new publicly releasable information provided during the Committee's consideration.
- (f) When reviewing a list entry in accordance with paragraph 25 of resolution 1988 (2011), the Committee shall also review the corresponding narrative summary. Upon completion of the review, the Monitoring Team shall prepare an updated draft narrative summary for the Committee's consideration reflecting the date of the Committee's review as well as any relevant new publicly releasable information provided during the Committee's consideration.
- (g) At any time the Committee may consider updating narrative summaries based on new information, proposed changes or additions as well as information about any relevant court decisions and proceedings submitted by Committee Members, the Monitoring Team, Member States or relevant international organizations.

## **11. Review of the 1988 Sanctions List**

- (a) The Committee will, with the support of the Monitoring Team and the Secretariat, review each entry on the 1988 Sanctions List on a regular basis.
- (b) The Committee with the support of the Monitoring Team and the Secretariat will conduct, as appropriate, specialized reviews as set out below.
- (c) The reviews described in this section shall not preclude the submission of delisting requests at any time, in accordance with the relevant procedures set out in section 8 of these guidelines.

### *Review of individuals considered to be reconciled*

- (d) The Monitoring Team will provide to the Committee every six months a list of individuals on the 1988 Sanctions List whom the Government of Afghanistan considers to be reconciled along with relevant available documentation as outlined in paragraph 21 (a) of resolution 1988 (2011) including a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Program, documentation attesting to their reconciliation under the previous program; as well as current address and contact information;
- (e) Based on the list provided by the Monitoring Team the Chairperson assisted by the Monitoring Team will consult with the Afghan Government and, as appropriate, with Member States on delisting requests related to listed individuals considered to be reconciled.
- (f) The Committee shall review these listings along with the original listing request, as well as all relevant information pertaining to those entries to decide whether they remain appropriate.

### *Review of entries lacking identifiers*

- (g) The Monitoring Team will provide to the Committee every six months a list of individuals on the 1988 Sanctions List whose entries, in the assessment of the Monitoring Team, lack identifiers necessary to ensure effective implementation of the measures imposed upon them along with recommendations on how the necessary identifiers may be gathered
- (h) Based on the Monitoring Team's list and recommendations the Committee will decide on modalities of further review.
- (i) The Committee shall review these listings along with the original listing request, as well as all relevant information pertaining to those entries to decide whether they remain appropriate.

*Review of reportedly deceased individuals*

- (j) The Monitoring Team shall provide to the Committee every six months a list of individuals on the 1988 Sanctions List who are reportedly deceased, along with the documentation requirements outlined in paragraph 21 (c) of resolution 1988 (2011) including an official statement of death from the state of nationality, residence or other relevant state, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets.
- (k) The Committee shall review these listings along with the original listing request, as well as all relevant information pertaining to those entries to decide whether they remain appropriate, and to consider the removal of the listings of deceased individuals where there is credible information regarding death as described in section 8 paragraph (l) above.

*Review of entities reported or confirmed to have ceased to exist*

- (l) There are currently no entities inscribed in the 1988 Sanctions List. If entities are placed on the 1988 Sanctions List the Committee will revise these guidelines as necessary.

**12. Exemptions to the Assets Freeze**

- (a) As stipulated in paragraph 9 of resolution 1988 (2011), all Member States are encouraged to make use of the provisions set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006) regarding available exemptions with regard to measures in paragraph 1 (a) of resolution 1988 (2011).
- (b) Pursuant to resolution 1452 (2002), as amended by paragraph 15 of resolution 1735 (2006), the Committee shall receive notifications from Member States of their intention to authorize, where appropriate, access to frozen funds or other financial assets or economic resources to cover basic expenses, as provided for in paragraph 1 (a) of resolution 1452 (2002). The Committee, through the Secretariat, will immediately acknowledge receipt of the notification. Should no negative decision be taken by the Committee within the requisite three working day period, the Committee, through its Chairperson, will inform the notifying Member State thereof. The Committee will also inform the notifying Member State if a negative decision has been taken regarding the notification.
- (c) The Committee shall consider and approve within the requisite five working days, if appropriate, requests by Member States for extraordinary expenses, as provided for in paragraph 1 (b) of resolution 1452 (2002). Member States are encouraged, when submitting requests to the Committee pursuant to paragraph 1 (b) of resolution 1452 (2002), to report in a timely way on the use of such funds, with a view to preventing such funds from being used to finance terrorism or other acts that would constitute threats to the peace, stability and security of Afghanistan.
- (d) Notifications under paragraph 1 (a) of resolution 1452 (2002) and requests under paragraph 1 (b) of resolution 1452 (2002) should, as appropriate, include the following information:
  - i. recipient (name and address)
  - ii. recipient's permanent reference number on the 1988 Sanctions List
  - iii. recipient's bank information (name and address of bank, account number)

- iv. purpose of payment and justification of the determination of the expenses falling under paragraph 1(a) or under paragraph 1(b) of resolution 1452 (2002):
    - under paragraph 1(a):
      - basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
      - payment of reasonable professional fees and reimbursement of incurred expenses associated with the provisions of legal services;
      - fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources.
    - under paragraph 1(b):
      - extraordinary expenses (other categories than the ones mentioned under paragraph 1 (a)).
  - v. amount of installment
  - vi. number of installments
  - vii. payment starting date
  - viii. bank transfer or direct debit
  - ix. interests
  - x. specific funds being unfrozen
  - xi. other information.
- (e) Pursuant to paragraph 2 of resolution 1452 (2002) and paragraph 8 of resolution 1988 (2011), States may allow for the addition to accounts subject to the assets freeze of:
- i. interest or other earnings due on those accounts, or
  - ii. payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the assets freeze, or
  - iii. any payment in favor of listed individuals, groups, undertakings or entities, provided that any such interest, other earnings and payments continue to be subject to the assets freeze.

### **13. Exemptions from the Travel Ban**

- (a) Pursuant to paragraph 1 (b) of resolution 1988 (2011), the travel ban imposed under the 1988 Committee sanctions regime shall not apply where the Committee determines, on a case by case basis only, that entry or transit is justified, including where this directly relates to supporting efforts by the Government of Afghanistan to promote reconciliation.<sup>1</sup>
- (b) Each request for exemption must be submitted in writing, on behalf of the listed individual, to the Chairperson. The States that may submit a request are the State(s) of destination, the State(s) of transit, the State of nationality, and the State of residence. Member States are

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<sup>1</sup> The Security Council also decided that the travel ban shall not oblige any State to deny entry into or require the departure from its territories of its own nationals and shall not apply where entry or transit is necessary for the fulfillment of a judicial process.

encouraged to consult with other relevant States where appropriate prior to submitting a request for exemption. If no effective central government exists in the country in which the listed individual is located, a United Nations office or agency in that country may submit the request for exemption on the listed individual's behalf.

- (c) Each request for exemption shall be received by the Chairperson as early as possible but not less than five working days before the date of the proposed travel.
- (d) Each request for exemption should include the following information:
  - i. the permanent reference number on the 1988 Sanctions List, full name, nationality, passport number or travel document number of the listed individual;
  - ii. the purpose of and justification for the proposed travel, with copies of supporting documents, including specific details of meetings or appointments;
  - iii. the proposed dates and times of departure and return;
  - iv. the complete itinerary and timetable, including for all transit stops;
  - v. details of the mode of transport to be used, including where applicable, record locator, flight numbers and names of vessels;
  - vi. all proposed uses of funds or other financial assets or economic resources in connection with the travel. Such funds may only be provided in accordance with paragraph 1 of resolution 1452 (2002), as modified by paragraph 15 of resolution 1735 (2006). The procedures for making a request under resolution 1452 (2002) can be found in section 11 of these guidelines.
- (e) Once the Committee has approved a request for exemption from the travel ban, the Chairperson shall communicate in writing the decision, approved itinerary and timetable to the Government of Afghanistan, (through the contact point described in section 5 paragraph (c) above and the Permanent Mission of Afghanistan to the United Nations), the Permanent Missions to the United Nations of: the State in which the listed individual is resident or believed to be located, the State(s) of which the person is believed to be a national (in the case of non-Afghan individuals and to the extent this information is known), the State(s) to which the listed individual will be traveling; any transit State; as well as to any UN office/agency involved as provided for in paragraph (a) above.
- (f) Written confirmation of the completion of the travel by the listed individual shall be provided to the Chairperson within five working days following the expiry of the exemption by the State (or United Nations office/agency as in paragraph (b) above) in which the listed individual has stated he will be resident after completion of the exempted travel.
- (g) Notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of resolution 1988 (2011).
- (h) Any changes to the information provided under paragraph (d) above, including with regard to points of transit, shall require further consideration by the Committee and shall be

received by the Chairperson no less than three working days prior to the commencement of the travel.

- (i) Any request for an extension of the exemption shall be subject to the procedures set out above and shall be received by the Chairperson in writing, with a revised itinerary, no less than five working days before the expiry of the approved exemption.
- (j) The submitting State (or United Nations office/agency as in paragraph (b) above) shall inform the Chairperson immediately and in writing of any change to the departure date for any travel for which the Committee has already issued an exemption. Written notification will be sufficient in cases where the time of departure is advanced or postponed no more than 48 hours and the itinerary remains otherwise unchanged. If travel is to be advanced or postponed by more than 48 hours, or the itinerary is changed, then a new exemption request shall be submitted in conformity with paragraphs (b), (c) and (d) above.
- (k) In cases of emergency evacuation to the nearest appropriate State, including for medical or humanitarian needs or through force majeure, the Committee will determine whether the travel is justified within the provisions of paragraph 1 (b) of resolution 1988 (2011) , within 24 hours once notified of the name of the listed individual traveler, the reason for travel, the date and time of evacuation, along with transportation details, including transit points and destination. The notifying authority shall also provide, as soon as possible, a doctor's or other relevant national official's note containing as many details as possible of the nature of the emergency and the facility where treatment or other necessary assistance was received by the listed individual without prejudice to respect of medical confidentiality, as well as information regarding the date, time, and mode of travel by which the listed individual returned to his/her country of residence or nationality, and complete details on all expenses in connection with the emergency evacuation.
- (l) Unless the Committee otherwise decides, all requests for exemptions and extensions thereto which have been approved by the Committee in accordance with the above procedures, shall be posted in the "Exemptions" section of the Committee's website until expiry of the exemption.

#### **14. Reports Submitted by Members States and Other Information Supplied to the Committee**

- (a) The Committee will examine reports and checklists submitted by Member States pursuant to relevant resolutions and other relevant information, including through the use of the tools provided on the Committee's website. The Committee may request further information that it considers necessary.
- (b) The Committee will consider other information relevant to its work, including possible non-compliance with the measures imposed by the relevant resolutions, received from different sources through Member States, international or regional organizations or the Monitoring Team.
- (c) The information received by the Committee will be kept confidential if the provider so requests or if the Committee so decides.
- (d) With a view to assisting States in their endeavor to implement the measures set out in paragraph 1 of resolution 1988 (2011), the Committee may decide to supply information

forwarded to it relating to possible non-compliance to the States concerned, and ask any such State to report to the Committee subsequently on any follow-up action undertaken.

- (e) The Committee will provide Member States and relevant international organizations with an opportunity to send representatives to meet the Committee for more in-depth discussion of relevant issues or to give voluntary briefings on their efforts to implement the measures, including particular challenges that hinder full implementation of the measures.

#### **15. Reports to the Security Council**

- (a) The Committee, through its Chairperson, may report to the Council when it deems appropriate.
- (b) The Security Council has requested the Committee in paragraph 30 (f) of resolution 1988 (2011) to make periodic reports to the Council on information submitted to the Committee regarding the implementation of the resolution, including regarding non-compliance with the measures imposed by the resolution.

#### **16. Outreach**

- (a) In order to enhance the dialogue with Member States and to publicize the work of the Committee, the Chairperson will, on a regular basis, hold briefings for all interested Member States, as well as brief interested Member States and the press following formal meetings of the Committee, unless the Committee decides otherwise. In addition, the Chairperson may, after prior consultations and with the approval of the Committee, hold press conferences and/or issue press releases on any aspect of the Committee's work.
- (b) The Secretariat shall maintain a website for the Committee which should include all public documents relevant to the Committee's work, including the 1988 Sanctions List, relevant resolutions, public reports of the Committee, relevant press releases, and reports of the Monitoring Team. Information on the website should be updated in an expeditious manner.
- (c) The Committee may consider, as appropriate, visits by the Chairperson and/or Committee Members to Afghanistan and other selected countries to enhance the full and effective implementation of the measures referred to above, with a view to encouraging States to comply fully with the relevant resolutions:
  - i. The Committee shall consider and approve the proposal to visit selected countries, and coordinate such visits with the Al-Qaida Sanctions Committee pursuant to resolutions 1267 (1999) and 1989 (2011) and other relevant subsidiary organs of the Security Council as appropriate.
  - ii. The Chairperson will contact the selected countries through their Permanent Missions in New York, and will also send letters seeking their prior consent and explaining the objectives of the trip.
  - iii. The Secretariat and the Monitoring Team will provide the Chairperson and the Committee with the necessary assistance in this regard.

- iv. Upon his return the Chairperson will prepare a comprehensive report on the findings of the trip and will brief the Committee orally and in writing.
- (d) The Committee shall consider and approve the six monthly travel plan of the Monitoring Team. Any new travel plans in addition to already approved travel of the Monitoring Team shall be sent to the Committee Members for information on a regular basis as necessary. Unless a Committee Member expressly objects to any proposed travel, the Chairperson will take it that the Members of the Committee have no objection to the proposed travel and will advise the Monitoring Team to proceed accordingly.

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