

COUNTER-TERRORISM COMMITTEE'S UPDATED WORKING METHODS

17 October 2006

Targeted, tailor-made dialogue with Member States leads to enhanced implementation by States of the provisions of resolution 1373 (2001). The Committee has therefore updated its working methods to allow for a better basis for such tailor-made dialogue.

The updated working methods also encourage greater focus on States' implementation and less on reporting as an end in and of itself.

A core tool in this regard is the Preliminary Implementation Assessment (PIA). The PIAs constitute a thorough, consistent, transparent and even-handed analysis of States' implementation of resolution 1373 (2001). They are prepared by CTED, considered by the Committee, and shared with the State concerned (see detailed procedure below).

The updated working methods allow for a period of working with each individual State to enhance its implementation of resolution 1373 (2001), after which the Committee will again take stock of the status of that Member State's implementation of the requirements of resolution 1373 (2001). The Committee will continue to have formal exchanges with each Member State about its implementation of resolution 1373 (2001) in connection with the stock-taking (at least once every two years).

1. Preliminary Phase: Compilation of documents by CTED

Preparation of the PIA

1.1 In order to ensure that the PIAs are as accurate, up-to-date, and comprehensive as possible, CTED should utilize a variety of sources when drafting the PIA. Such sources should include, but are not necessarily limited to:

- Member State's reports
- Informal contacts with the Member State
- Official government home pages
- Information provided from relevant international, regional and sub-regional organisations, as appropriate
- Information obtained through dialogue with the Permanent Mission
- Information obtained by other relevant Security Council subsidiary organs

All sources of information are to be clearly referenced in the PIA.

Preparation of a Cover Note

1.2 For initial discussion in the Sub-Committees, and subsequently in the Committee, CTED will accompany the PIA with a cover note containing at a minimum:

- A summary of possible shortfalls in implementation (prioritised)
- Recommendations/options on how the Committee and its CTED can best facilitate enhanced implementation by the Member State in question
- Information about prior action/results from CTED's, and when appropriate CTC's, the Chairman's, execution of previous Committee decisions on how to work with Member States on enhancing implementation

1.3 The following is a non-exhaustive list of possible recommendations/options to be included in the cover note:

- Need for further information/dialogue with the Member State, including with States that do not yet meet the requirements of resolution 1373 (2001), through the use of the most appropriate means such as: inclusion of targeted questions in the cover letter, high-level meetings with the Permanent Mission, video conferences with relevant authorities, targeted visits, official visits, development of an implementation plan, etc;
- Suggested priority areas for technical assistance, if appropriate, and proposals for potential donors/providers;
- Other suggestions for how Member States can address any shortfalls identified;
- Possible contacts by CTC/CTED with relevant international, regional or sub-regional organisations;
- Indications as to when, at the outset, it seems realistic to expect the State concerned to fill the identified shortfalls (this estimate may be revised over time as an outcome of the continued dialogue with the Member State in question), and a suggested timeline for taking stock of the State's status of implementation (taking into account any assessments being undertaken by the two other Security Council Subsidiary Organs also dealing with counter-terrorism with regard to the same Member State's implementation of the relevant resolutions, as well as information about forthcoming visits by relevant international organisations (UNODC, FATF, ICAO, etc)).

1.4 In order to streamline procedures, a standardized format for the cover note will be developed by CTED.

Preparation of a Cover Letter

1.5 For initial discussion in the Sub-Committees, and subsequently in the Committee, CTED will, if appropriate, accompany the PIA and cover note with a draft cover letter (for approval by the Committee and eventual signature by the Committee Chairman) containing at a minimum the following elements:

- Notify the Member State about the Committee's assessment of its implementation of the obligations and provisions of resolution 1373 (2001) recommend concrete steps for addressing any limitation in that implementation and invite possible comments;
- Remind the Member State of its obligations to fully implement resolution 1373(2001), and that such implementation is an ongoing process, which requires continued and consistent focus on the part of all relevant authorities;
- Inform the State that the Committee intends to take stock of the State's implementation of the obligations and provisions of resolution 1373 (2001) within a given period of time (such as a year or two), invite the State to keep the Committee informed of any development in its implementation of resolution 1373 (2001);
- Request the Member State to respond formally to the Committee's assessment at least three months in advance of the Committee's next stock-taking of the status of the State's implementation.

1.6 Notwithstanding provisions of paragraph 1.5., the draft cover letter may, as appropriate, draw upon the following non-exhaustive list of recommendations/options:

- Indicate possible shortfalls (prioritised) in the State's implementation of the resolution so far;
- Request further information, if so decided under 1.3 a), with an indication of a deadline for providing such information (usually three months, unless there are particular reasons to stipulate another deadline);
- Invite the Member State to engage in dialogue with the Committee and its CTED, in line with the methodology decided upon under 1.3 a). A deadline for providing feedback will be indicated (usually three months, unless there are particular reasons to stipulate another deadline);
- Recommend – if the Committee is of the view that these shortfalls in implementation are due to limited capacity – that the Member State seek technical assistance to address priority shortfalls, and indicate that the Committee is willing to facilitate the provision of assistance in these areas;

- Seek the agreement of the State for the Committee to share these identified technical assistance needs with potential donors/providers and invite the State to forward any further updated information on technical assistance to be provided by any donor/provider;
- Request the Member State to indicate when it expects, with the provision of technical assistance if appropriate, to be able to fill the identified shortfalls in implementation -- possibly through developing an action plan.
- Recommend other prioritised solutions for addressing these shortfalls

2. Decision-Making Phase: Consideration and approval in the Sub-Committee and Committee

2.1 The Sub-Committees will consider the PIA, accompanying cover note and draft cover letter, and discuss the proposed action. CTED will update the material if and as necessary. Once the Sub-Committee has concluded its consideration of the PIA, then the cover note, the proposed course of action and the approved draft cover letter, if appropriate, will be forwarded to the Committee.

2.2 The Committee will consider the PIA, the cover note and the proposed course of action, and will approve the cover letter if appropriate, before forwarding the factual part of the PIA and cover letter to the State in question.

3. Subsequent actions

3.1 Until CTC again takes stock of the level of implementation, as indicated above, CTC and its CTED will collaborate actively with the Member State in question to facilitate enhanced implementation.

3.2 At the time when the CTC again takes stock of a Member State's implementation, as indicated above, the Committee will assess progress made by the Member State.

3.3 CTED will develop a tool, which will enable the CTC to track the sequence in which it will review the status of Member States' implementation of resolution 1373 (2001).