

**Briefing by H.E. Mr. Thomas Mayr-Harting,
Chairman of the Security Council Committee
established pursuant to resolution 1267 (1999)
concerning Al-Qaida and the Taliban and
Associated Individuals and Entities,
to the Security Council on 26 May 2009**

I. Introduction and Overview

1. I have had the honor to take over the chairmanship of the Al-Qaida and Taliban Sanctions Committee in January 2009. I would like to thank my predecessors, Ambassadors Johan Verbeke and Jan Grauls (Belgium), for their excellent work in steering the Committee in 2007 and 2008.
2. In today's briefing, I would like to give an overview of the Committee's activities since the last briefing in November 2008. A more detailed version of this statement will be distributed today and made accessible on the Committee's website¹ in due course. During the reporting period, the Committee has been very active and held one formal and 12 informal meetings. The main focus of the Committee's work has been the implementation of resolution 1822 (2008). I would like to highlight the following points:
3. Almost ten years after the adoption of resolution 1267 (1999) the threat posed by Al-Qaida and the Taliban continues, both worldwide and especially in South Asia. However, at the same time, over the years the threat has evolved considerably. The Committee remains committed to ensuring the 1267 sanctions regime becomes an even more relevant and effective tool to fight terrorism. All Member States have a role to play in helping ensure, via timely listing and delisting proposals, that the Consolidated List remains a dynamic instrument, which accurately reflects the current threat. The Committee is committed to promoting full implementation and enforcement of the regime, and working with Member States to help them implement their obligations. The Committee will do its part to make sure that the 1267 sanctions regime remains central to the United Nations counter-terrorism efforts.

II. Committee's Guidelines

4. On 9 December 2008, after intensive negotiations under Belgian chairmanship, the Committee adopted a thoroughly revised version of the Guidelines of the Committee for the conduct of its work, as mandated by paragraph 29 of resolution 1822 (2008). Two new sections were added to the Guidelines: one on the review of the Committee's Consolidated List of individuals and entities subject to sanctions measures (Section 9), and one on exemptions from the travel ban (Section 11). Moreover, substantive changes have been introduced in the existing sections. The updated version is available in all six languages on the Committee's website².

¹ <http://www.un.org/sc/committees/1267/chairmanbriefings.shtml>

² http://www.un.org/sc/committees/1267/pdf/1267_Guidelines.pdf.

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

5. By paragraph 25 of resolution 1822 (2008), the Council directed the Committee “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 procedure for conducting this review is detailed in Section 9 of the Committee’s Guidelines. Today, I would like to report on the progress of the review process achieved so far.
6. The review process is one of the key priorities of the Committee. It pertains to currently 488 names that were included on the Consolidated List prior to 30 June 2008. Pursuant to the Guidelines, each trimester the Committee circulates a subset (“batch”) of names on the Consolidated List to the designating State(s) and the State(s) of residence and/or nationality. The Committee started sending letters to Member States in December 2008, immediately after the adoption of the Guidelines. 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. As of today, the Committee has sent out two batches, initiating the review of 158 names (125 individuals and 33 entities) on the Consolidated List. A third batch of approximately 120 names will be circulated shortly to the respective States. In this context, I would like to call upon all reviewing States to thoroughly review each name and to do their utmost to submit their replies to the Committee within the stated period. 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.
7. Once the replies from the reviewing States have been received, all information available is circulated to members of the Committee and the Monitoring Team for possible further input, within a one-month period. At the end of this process, the respective name is placed on the Committee’s agenda. On 4 May, the first 5 names were placed on the Committee’s agenda. In the course of the review, the Committee evaluates all available information, considers whether listing remains appropriate, and considers 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 following the procedures set out in Section 7 of the Guidelines, and the Committee will decide whether to remove a name under review from the Consolidated List.
8. Finally, in the spirit of transparency, it is the intention of the Chairman to regularly update Member States about the progress of the review process, including through periodic briefings, press releases and updates on the Committee’s webpage. The Secretariat will also notify the States of residence and/or nationality and designating States in accordance with the Guidelines.
9. The review of the 488 names on the Consolidated List listed prior to resolution 1822 (2008) is one of the key priorities of the Committee and it is my personal commitment to ensure that this exercise will be conducted seriously and thoroughly. There are several 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 as requested for new designations by

Security Council resolution 1822 (2008) (paragraph 14). For these entries, the application of the measures set out in paragraph 1 of resolution 1822 (2008) is very difficult, but at the same time they can affect unintended and innocent individuals. For instance, for 56 individuals there is no full name and no date of birth; for 14 individuals there is only one name available. For these reasons, INTERPOL has posted only 317 notices for individuals and 24 notices for entities, as they do not have the necessary information for the other entries. Additional identifiers are therefore necessary in order to create an effective sanctions regime. 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. I therefore count on the cooperation by Member States, which is necessary to conduct a meaningful review and improve the quality of the Consolidated List.

IV. Narrative summaries of reasons for listing

10. In paragraph 13 of resolution 1822 (2008), the Security Council 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 these summaries.
11. *Whenever possible, the Committee considers narrative summaries of names in conjunction with the review of the respective names. The designating States therefore receive draft narrative summaries of reasons for listing prepared by the Monitoring Team whenever possible at the same time as they are invited to update a listing entry in connection with the review and are invited to submit input for the draft narrative summaries.*
12. Since the beginning of this year, the Committee has published a total of 63 narrative summaries on its website³. The Monitoring Team has prepared the first draft of another 115 narrative summaries of reasons for listing which are currently reviewed by the designating States. The summaries are published in all six official United Nations languages.

V. The Committee's Consolidated List

13. As of today, the Consolidated List comprises 508 names: 397 persons (255 associated with Al-Qaida and 142 associated with the Taliban) and 111 entities. Since the last briefing on 12 November 2008, the Committee has added to the List the names of seven individuals associated with Al-Qaida. During the same period, one de-listing request was approved, four de-listing requests could not be acceded to. The Committee also approved 46 amendments to improve and update the List. On behalf of the Committee, I would like to thank all Member States which have contributed to improving the quality of the Consolidated List and strongly encourage others to do the same. I am also confident that the review process will result in a number of further updates of the Consolidated List. Our common objective should be to have a dynamic List that addresses the evolution of the threat posed by Al-Qaida and Taliban.

³ <http://www.un.org/sc/committees/1267/narrative.shtml>

14. In this context I would like to inform that the Committee is currently working on a new cover sheet for listing requests as tasked by the Security Council in paragraph 14 of resolution 1822 (2008) and on a new, more user friendly format of the Consolidated List.
15. In cases of new listings, as foreseen in the Guidelines, 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.
16. Since the last briefing, the Committee received 11 notifications for exemptions to the assets freeze for basic expenses under paragraph 1(a) and one request for an exemption for extraordinary expenses under paragraph 1(b) of resolution 1452 (2002). One notification under paragraph 1(a) is still under the Committee's consideration. The Committee also received the first request for an exemption to the travel ban set out in paragraph 1 (b) of resolution 1822 (2008). The request was granted for the days of travel specified by the requesting State and the travel details were posted on the Committee's website in accordance with Section 11 of the Guidelines.
17. Finally, the Committee has considered the issue of deceased persons and discussed a paper submitted by the Monitoring Team on listed individuals who are reported or believed to be dead. 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 currently ongoing review pursuant to paragraph 25 of resolution 1822.

VI. Outreach

18. With a view to further enhancing the user-friendliness of its website, the Committee has introduced a number of enhancements: The main navigation menu was simplified, a site map has been introduced in order to give a better overview of the content and the search function was enhanced.
19. Cooperation and interaction with Member States is an essential element in the work of the Committee. Visits by the Monitoring Team to countries are an important tool to develop a dialogue with Member States and to gather information on the implementation of sanctions measures. Since the last briefing, the Monitoring Team has traveled to seven Member States (Syria, Lebanon, Togo, Malaysia, Algeria, France and the United States) including two visits under the umbrella of the Counter-Terrorism Implementation Task Force. In addition, the Team held its 7th regional meeting for the heads and deputy heads of intelligence and security services from selected countries in the Middle East, North Africa and Pakistan on 30 April 2009 in Vienna, and its 3rd meeting with regional security and intelligence services on 22-23 April in Nairobi to discuss Al-Qaida influences in Somalia.
20. *The Monitoring Team has also participated in several international seminars and other forums on international terrorism which have provided an ideal opportunity to discuss the objectives and mechanics of the sanctions regime and increase its impact. This has been particularly important in light of the extensive debate about the fairness of the Committee's procedures. In addition, the*

Team has continued its outreach to the private sector, including by its interaction with the financial sector and other key users of the Consolidated List as part of the Team's efforts to consult with a broad base before submitting its proposals for a new format of the List.

21. *Team members have made their twelfth joint trip to a Member State with experts from the Counter-Terrorism Executive Directorate (CTED) and more are planned for later in the year. Team members have conducted one country sanctions workshop and have participated in three workshops with the United Nations Office on Drugs and Crime/Terrorism Prevention Branch (UNODC/TPB), CTED and the 1540 Group of Experts. It has completed a programme of workshops for African States under a common strategy adopted by the three Committees for non-reporting and late reporting States, and with the other expert groups, is now planning similar assistance for non-reporting and late reporting States in Asia, including the Pacific countries, and in Latin America. The Committee received detailed reports from the Monitoring Team on their country visits, participation in seminars and other meetings.*
22. *The Committee also continues its cooperation with international organizations. There is an intensive and very fruitful cooperation with INTERPOL through the issuance of INTERPOL-United Nations Security Council Special Notices. As of today, there are 317 notices related to individuals and 24 notices related to entities on the Consolidated List. These Special Notices are distributed to all 187 INTERPOL member states with the objective to alert and inform respective national law enforcement agencies about listed individuals and the measures in place.*
23. *The Monitoring Team, CTED and the 1540 Group of Experts have jointly proposed a common approach towards relevant international, regional and sub-regional organizations, which is currently being considered by the three Committees. The Committee welcomes very much the close working relationship between the three expert groups, to which it attaches great importance.*
24. 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.
25. On 11 December of last year, my predecessor held an open briefing to interested Member States, in which he provided an update on the work of the Committee in relation to the implementation of resolution 1822 (2008). The briefing was well attended and it confirmed that such an open and informal format provides for a good opportunity to directly interact with the Member States and listen to their views as well as concerns. My intention is to hold another open briefing next month and I would like to encourage Member States to attend and utilize the occasion to bring relevant issues to the attention of the Committee.

VII. Ninth Report of the Monitoring Team

26. At the end of February, the Monitoring Team submitted its ninth report to the Committee as requested by resolution 1822 (2008). The Committee has recently started its consideration of the

report and its recommendations. The report has been transmitted to the Security Council, has been published as a UN document (S/2009/245) and put on the Committee's website. The Committee will inform the Security Council of its position on the Team's recommendations after careful consideration. The Monitoring Team will submit its tenth report to the Committee at the end of July 2009.

VIII. Conclusion

27. 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 with in addition to the regular tasks.
28. Let me conclude with a general comment: The implementation of Security Council 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 Consolidated List is as accurate and updated as possible in order to help Member States to effectively implement the sanctions measures foreseen in the relevant resolutions. 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 of the 1267 sanctions regime.
29. The 1267 sanctions regime currently faces serious challenges: There are a growing number of cases before national and regional courts filed by listed individuals and entities who take legal action against the sanctions measures. The review is therefore an important step towards both improving due process and strengthening the regime. By either removing names from the List where listing is no longer appropriate, or adding new identifiers and information regarding names remaining on the List, the review will help to improve due process and the quality of the Consolidated List and to implement the sanctions regime more effectively. 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.
30. 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 cooperation and engagement of all Member States involved, in particular designating States and States of residence and/or nationality. In order to complete the review process by the deadline in June 2010, it is essential that all States involved do their utmost to provide all available information within the timeframe set by the Committee. The continued cooperation and engagement of all Member States is crucial to achieve our common and overall objective to counter and prevent terrorism.