

**Briefing by H.E. Mr. Jan Grauls,
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 12 November 2008**

(comprehensive version)

I. Follow-up to the adoption of Security Council resolution 1822 (2008)

1. Since the adoption of resolution 1822 (2008) by this Council on 30 June 2008, the Committee has focused its efforts on implementing those provisions contained in the resolution pertaining to the Committee and its work. Today, I would like to outline the progress which has been made so far in a number of areas which are considered essential for achieving further progress in the work of the Committee, and in continuing to ensure that fair and clear procedures exist for placing individuals and entities on the Committee's Consolidated List and for removing them as well as for granting humanitarian exemptions to the measures set out in resolution 1822 (2008).
2. Let me first of all express the satisfaction of the Committee to see that a number of recommendations made in its report submitted to the Council on 18 June 2008 (S/2008/408), reflecting its position on the recommendations contained in the Analytical Support and Sanctions Monitoring Team's Eighth Report submitted pursuant to paragraph c of Annex II of resolution 1735 (2006) (S/2008/324), have been included in resolution 1822 (2008).
3. The Committee issued last August a note verbale to draw the particular attention of Member States to those new elements of resolution 1822 (2008) that are the most relevant for them.
4. As directed by this Council, the Committee over the past months has been working, as a matter of priority, on reviewing its Guidelines. In addition to the technical updates needed to reflect the relevant provisions of resolution 1822 (2008), the Committee has gone through a thorough analysis of its Guidelines. Several sections have been restructured and new provisions have been added. A new section detailing the procedure for the consideration of requests for exemptions from the travel ban was approved by the Committee on 2 September 2008. The updated version of the Guidelines will be made available on the Committee's website in the coming weeks.
5. Over the last few months, the Committee and the Monitoring Team have devoted great attention to the concrete modalities for the implementation of two new mechanisms introduced by resolution 1822 (2008). I am referring here, on the one hand, to the review, by 30 June 2010, of all the names on the Consolidated List at the time of the adoption of the resolution, and, on the other hand, to the posting on the Committee's website of the narrative summaries of reasons for listing for all entries on the Consolidated List:

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- a. In 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 in which the relevant names are circulated to the designating states and states of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate*”. Upon completion of this review, the Committee has been directed “*to conduct an annual review of all names on the Consolidated List that have not been reviewed in three or more years*”. In addition, the Committee has been directed to consider an annual review of the names of individuals reported to be deceased. It is worth reminding that the one-time comprehensive review to be conducted by the end of June 2010 relates to 491 names on the Consolidated List. In order to make this first-time ever exercise meaningful, a careful preparation is essential. The way this review is organized and planned is key for its success. This process will be one of continuous priorities in the Committee’s work in the months to come.
 - b. With a view to further improving transparency and addressing challenges to measures implemented by Member States in accordance with the measures referred to in paragraph 1 of resolution 1822 (2008), the Security Council in paragraph 13 of resolution 1822 (2008) 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. This task is also considered by the Committee as an utmost priority, and will play a role equally important as the review outlined above. The Committee is currently developing the modalities for this exercise. Following the ruling of the European Court of Justice (ECJ) in the Qadi and Barakaat cases on 3 September 2008, and at the request of the Presidency of the European Union (EU), the Committee provided on 21 October 2008, on a non-precedent basis, the narrative summaries of reasons for listing for Mr Yasin Abdullah Ezzedine Qadi (listed under permanent reference number QI.Q.22.01.) and Barakaat International Foundation (QE.B.39.01.).
6. Given the number of names concerned, one should allow a sufficient amount of time for the full implementation of the two exercises. The cooperation of the designating States as well as the States of residence and nationality will be critical in this endeavor.
 7. Resolution 1822 (2008) also extended the mandate of the Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of 18 months, ending on 31 December 2009. Six of the eight experts who have served on the Team prior to the adoption of resolution 1822 (2008) were reappointed by the Secretary-General on 7 July 2008. In consultation with the Committee, the Secretary-General on 2 October 2008 appointed the two remaining experts to replace those who had resigned from their functions prior to the adoption of resolution 1822 (2008).

II. The Committee's Consolidated List

8. Improving the quality of the Consolidated List remains central to the work of the Committee.
9. As of today, the Consolidated List comprises 503 names. Since the last briefing on 6 May 2008, the Committee has added to the List the names of 21 individuals and 1 entity associated with Al-Qaida. During the same period, 2 de-listing requests have been approved, one of which was submitted through the Focal Point, and 3 requests could not be acceded to. The Committee has also made improvements to the existing identifying information of 21 individuals and 3 entities associated with Al-Qaida, and of 23 individuals associated with the Taliban. The Committee has made technical corrections to the entries of 15 individuals and 13 entities associated with Al-Qaida, and to 1 individual associated with the Taliban. Two entries in the section of "Entities associated with Al-Qaida" referring to the same entity have been merged into one entry. On behalf of the Committee, I would like to thank all Member States who have contributed to this process. It is our collective responsibility to ensure that the Consolidated List is as accurate as possible, and it should be our common objective to have a dynamic and constantly updated List in order to effectively address the evolution of the threat posed by Al-Qaida and the Taliban.
10. In order to ensure the fastest and broadest diffusion of the updates of the Consolidated List, several steps have been taken. First, the notes verbale announcing the changes to the List have been standardized in all relevant languages so as to avoid further translation prior to their circulation, where possible. Second, Member States have been approached to update the list of contact points – in New York and in the capitals – receiving e-mails, with an electronic advance copy of the note verbale, following updates of the Consolidated List on the Committee's website.
11. The Committee is currently conducting the review pursuant to paragraph 6 (i) of its Guidelines, with a view to possibly amending entries on the List that have not been updated in four or more years. As noted in the last briefing, 38 names on the List had been selected for this year for that review. On behalf of the Committee, I would like to encourage those States who have been approached in this process and have not done so yet, to share with the Committee any updated information on the respective entries in a timely manner, so that the review process can be concluded in due course. After the completion of the 2008 edition, the Committee will be conducting reviews of the names on the Consolidated List pursuant to paragraphs 22, 25 and 26 of resolution 1822 (2008) in accordance with the modalities being developed in the Committee's Guidelines. The evaluation of the "6(i) review" that had been agreed upon within the Committee for this fall has therefore been deemed to be no longer needed.
12. Since the last briefing, the Committee has received 16 notifications for exemptions to the assets freeze for basic expenses under paragraph 1(a) of resolution 1452 (2002). For 14 of these notifications no negative decision has been taken by the Committee while 2 are currently under the Committee's consideration. No request for an

exemption to the assets freeze for extraordinary expenses or for an exemption from the travel has been submitted during the same period.

III. Outreach

13. With a view to ensuring the greatest transparency of its work and to reflecting the new provisions contained in resolution 1822 (2008), the Committee has conducted a comprehensive update of its website¹. All sections have been brought in line with the new resolution. At the same time, the Committee updated the fact sheets contained on the Committee's website, namely on the procedures for listing, de-listing, updating the Consolidated List, the exemptions to the assets freeze and the travel ban and its exemptions.
14. Based on suggestions made by the Monitoring Team in its Eighth Report (S/2008/324), the Committee also agreed on a number of changes to its website aimed at further improving its user-friendliness, including the addition of an "email alert feature" to allow registered users to automatically learn about updates to the website and the Consolidated List, a new search functions to improve searches within the Committee's website, as well as a re-organization of the information contained on the website. The new features will be available on the Committee's website in due course, and will be announced in a press release.
15. Moreover, the Committee has been working on developing explanation of terms papers for each of the three measures set out in paragraph 1 of resolution 1822 (2008), namely the assets freeze, the travel ban and the arms embargo. The explanation of terms paper on the arms embargo has recently been revised and posted on the Committee's website, and the one on the travel ban, approved last September, will be made available once the new Guidelines are issued. The explanation of terms paper on the assets freeze is currently in the process of being finalized.
16. The Committee believes that the updated and further enhanced website will assist Member States in their effective sanctions implementation.
17. The Committee continues to value greatly its cooperation and interaction with Member States and international and regional organizations, and enhancing the outreach efforts remains therefore an overall objective of the Committee.
18. The Committee relies on continuously receiving high-quality information about the implementation of sanctions on the ground, including challenges and problems States might encounter in their implementation efforts. The reporting by the Monitoring Team is an invaluable instrument and a great resource in this regard. The expert members of the Monitoring Team travel frequently and to all parts of the world. Since the last briefing, the Team has conducted one country sanctions workshop and has participated in another with the United Nations Office on Drugs and Crime/Terrorism Prevention Branch (UNODC/TPB). These workshops offer an opportunity to explain in detail to officials on the ground the work of the Committee and the Team and to answer their questions concerning implementation. The

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

Committee considers this a useful initiative and expects the Team to carry out further such visits. The Team has also participated in several international seminars and other forums on international terrorism which provide 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. The Team members have also travelled to five other Member States and have made two more joint trips with the Counter-Terrorism Committee Executive Directorate (CTED). They will again travel with CTED shortly and before the end of the month make a first joint trip with the 1540 Group of experts. In addition, the Team has continued its outreach to the private sector, including by holding a meeting for hawaladars and other representatives of the financial sector hosted by the Central Bank of the United Arab Emirates in Dubai.

19. In my capacity as Chairman of the Committee, I have continued the practice of arranging biannual open briefings to interested Member States. During the briefing on 21 July 2008, I was very encouraged to see a lot of interest from Member States on that occasion, where I had the opportunity to update the broader membership on the work of the Committee as well as to highlight the main provisions of resolution 1822 (2008) adopted 3 weeks earlier. I intend to hold another open briefing to Member States next month.
20. During the last six months, the Committee has also continued to develop its cooperation with international organizations. On 16 May 2008, INTERPOL published the first batch of INTERPOL-United Nations Security Council Special Notices for entities included in the Committee's Consolidated List. As you are aware, INTERPOL and the Committee have cooperated on notices for individuals since 2005. As of today, there are 308 Special Notices for listed individuals and 20 for listed entities². The issuance of Special Notices for entities is part of ongoing cooperation efforts between INTERPOL and the United Nations and serves, inter alia, to assist Member States in implementing the relevant sanctions measures. The Special Notices are thus distributed to all of INTERPOL's 186 member countries with the objective of alerting national law enforcement that an assets freeze, a travel ban and an arms embargo are in place with regard to the targeted individuals and entities.
21. In July 2008, the Committee, as another initiative in enhancing outreach with international organizations, approved an information package for transmittal to relevant international, regional and sub-regional organizations. The package outlines in brief the activities and mandate of the Committee and is meant to be an easy point of reference for the interlocutors of the Committee in the relevant organizations.
22. On 20 October, the Committee met with Mr. Martin Scheinin, United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. Mr. Scheinin and the Committee had a constructive exchange of views on issues related to the fairness and clearness of the Committee's procedures, in particular as far as the listing and de-listing are concerned.

² <http://www.interpol.int/Public/NoticesUN/Default.asp>

23. I would like to take this opportunity to stress that the Committee welcomes the Security Council's encouragement set forth in paragraph 30 of resolution 1822 (2008) for Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues or for voluntary briefings on their efforts to implement the sanctions measures. The Committee looks forward to continuing its cooperation and dialogue with all Member States.

IV. Conclusion

24. Allow me to conclude by saying that the Committee is committed to assist Member States by responding to their requests as well as by continuing to ensure that fair and clear procedures exist as guided by this Council. In resolution 1822 (2008), the Council entrusted the Committee with additional responsibilities in this regard, and I can assure you that the Committee is doing its utmost to implement the relevant provisions in a timely and efficient manner. The continued cooperation of all Members States will also be crucial in achieving our common and overall objective, i.e. to counter and prevent terrorist acts.

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