

SECURITY COUNCIL COMMITTEE PURSUANT  
TO RESOLUTIONS 1267 (1999) AND 1989 (2011)  
CONCERNING AL-QAIDA AND ASSOCIATED  
INDIVIDUALS AND ENTITIES

**Chairman's Briefing to the Security Council  
14 November 2012**

**0. Introduction**

[1] In today's briefing, I would like to provide an update on the activities and achievements of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities since my last briefing in May 2012 (see S/PV.6767). In my remarks I shall focus what the Committee considers to be the most important elements:

1. The evolving threat posed by Al-Qaida;
2. Maintaining an up-to-date and dynamic sanctions list; and
3. Fair and clear procedures.

A more detailed version of this statement will be distributed as hard copy today and made available on the Committee's website.<sup>1</sup>

**I. The evolving threat posed by Al-Qaida**

[2] Al-Qaida and its associates continue to pose a threat to international peace and security, and this threat continues to evolve. While the operational impact of Al-Qaida's core leadership has declined since the death of Usama Bin Laden and several other key leaders, Al-Qaida networks have become an ever more complex phenomenon with an internationally diverse range of supporters and active fighters. Affiliate groups continue to be active in a number of regions worldwide and in many cases have managed to blend regional and local issues and interests with Al-Qaida's global agenda in order to increase their appeal.

Al-Qaida and its associates are working on re-building terrorist structures in Europe. There is a continuing danger that individual acts of terror may occur in this theatre.

[3] After thorough consideration and in-depth discussion, the Committee has transmitted the Monitoring Team's 12<sup>th</sup> report to the Security Council, together with the Committee's position on the recommendations. The report addressed, inter alia, the issue of the evolving terrorist threat. The Committee has now received the 13<sup>th</sup> report of the Monitoring Team and will begin its discussion of this document shortly.

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

[4] In light of the continuing threat posed by Al-Qaida and its affiliates, it is important for Member States to continue making every effort to fully implement the measures outlined in resolution 1989 (2011).

[5] The Committee remains committed to ensuring that the Al-Qaida Sanctions List is dynamic and responsive to the changing nature of the threat. The Committee recalls that it remains the responsibility of all Member States to ensure that the list of targeted individuals and entities accurately reflects the evolving threat posed by Al-Qaida through the submission of listing and delisting requests in a timely manner. In this context, the Committee also emphasises that it stands ready to receive from States names of individuals and groups associated with Al-Qaida in the Sahel region and notably in the North Mali, in accordance with paragraph 24 of resolution 2056 (2012) and paragraph 3 of resolution 2071 (2012), to be considered for designation on the Al-Qaida Sanctions List.

[6] Measures adopted under Chapter VII are binding on all Member States, and the sanctions regime is most effective when States are well placed to facilitate implementation. The Committee, together with the Monitoring Team, continues to explore ways to collaborate with Member States to support implementation efforts.

## **II. Maintaining an up-to-date and dynamic sanctions list**

[7] Resolution 1989 (2011) directed the Committee to undertake the most extensive and regular review processes of any UN sanctions regime. The various specialised and periodic reviews ensure that the Al-Qaida Sanctions List is a credible and effective tool in the fight against terrorism.

[8] The Committee has undertaken three specialised reviews, as set out in resolution 1989. The Committee reviewed the list entries of 34 reportedly deceased individuals and 55 entities reported to have ceased to exist, resulting in 12 de-listings and 24 amendments to the List. In addition, the Committee reviewed 70 entries on the List that lacked identifying information necessary to ensure effective implementation of the sanctions measures.

[9] The Committee has also completed its first round of the so-called “triennial review”, in which 18 names were considered. This is a periodic review of all names which have not been reviewed in three or more years. It ensures that no name remains on the List in perpetuity. Every single entry undergoes a regular assessment by the Committee to determine whether continued listing remains appropriate.

## **III. Fair and Clear Procedures**

[10] The sanctions regime benefits from increasingly fair and clear procedures. In light of the renewal of the Committee’s mandate next month, there will again be an opportunity

to review the procedures, possibly spelling them out in greater detail and rendering them more transparent.

[11] The Office of the Ombudsperson continues to provide an important element of fair and clear procedures to the sanctions regime. The Office plays an important role in assisting the Committee to ensure that the list of designated individuals continues to reflect the current threat posed by Al-Qaida.

[12] Since the Committee's last report, the Committee decided to de-list 6 individuals and one entity on the basis of reports submitted by the Ombudsperson. In addition, three Comprehensive Reports of the Ombudsperson are under consideration by the Committee, and the Ombudsperson has three cases in the dialogue phase and six cases in the information gathering phase.

[13] The mandate of the Ombudsperson will also have to be renewed by the Security Council in December. This will provide an opportunity to continue improving the procedures related to the Ombudsperson process. Questions to be addressed may include the modalities for information-sharing between the Office of the Ombudsperson and Member States. Member States are strongly urged to provide all relevant information to the Ombudsperson, including providing any relevant confidential information, where appropriate.

[14] On 26 July, the Committee held a meeting with Mr. Ben Emmerson, United Nations Special Rapporteur on the promotion and protection of human rights while countering terrorism. Mr. Emmerson and the Committee exchanged views on questions relating to the fairness and effectiveness of the Ombudsperson process. Mr Emmerson has since published a report providing his assessment of the process, which the Committee will carefully consider. The Committee notes Mr. Emmerson's recommendations regarding the use of evidence obtained under torture, and undertakes to give them close consideration.

[15] As Chair and in the name of the Committee, I would like to thank all Member States for their continued willingness to cooperate constructively with the Committee, its Monitoring Team and the Office of the Ombudsperson. The Committee has brought many improvements to fruition in recent years, and remains committed to building upon these advancements.

#### ***IV. Facts and Figures***

[16] The Al-Qaida Sanctions List currently has 306 entries, comprised of 238 individuals and 68 entities. Since the Chairman's last briefing to the Council, the Committee has added the names of two individuals. In the same period, it has amended 11 entries based on information gathered. In this time, the Committee has also decided to delist 19 individuals and one entity.

\*\*\* End of oral presentation \*\*\*

## **V. Activities of Monitoring Team**

### List Entries, Narrative Summaries and Reviews

[17] *The Monitoring Team (the Team) has continued to work with the Secretariat on the practical adaptation of the new format for the Al-Qaida Sanctions List which, if adopted by other committees as proposed, will allow greater coherence across all Security Council sanctions regimes while yet respecting the divergence of their mandates. The Committee expects that as a result of this work, both officials and the private sector from financing to border controls will find implementation of the sanctions measures far easier.*

[18] *With the assistance of the Team, the Committee continues to make accessible on its website narrative summaries of reasons for listing for all entries on the Al-Qaida Sanctions List. These narrative summaries not only provide information about the listed parties to help implementation, but also to improve the transparency and fairness of the sanctions regime.*

[19] *As a further way to improve the List, and in accordance with paragraph 37 of Resolution 1989 (2011), the Team provided the Committee with the names of those entries that lack identifiers necessary to ensure effective implementation of the measures imposed on them. In June, the Committee conducted its second review of such entries (the first review was done in December 2011) and, as a result, names have been updated with additional identifiers and three names have been removed from the List. The Committee will continue to review the remaining names and, as necessary, consult relevant Member States on the continued appropriateness of their listings. [20] In addition, the Team has continued to submit information on those individuals on the List who it had reason to believe might be dead. The Committee has been considering the names of deceased persons since November 2010 and to-date, 26 names of deceased persons or persons reportedly deceased, have been removed from the List through one of the four forms of review provided under resolution 1989 and its predecessors. The Team has recently provided the Committee with an updated List of deceased persons, which will allow the Committee to conduct another review on such names. The Committee continues to consider the appropriateness of these listings.*

[21] *In September this year, the Committee also discussed, at its second review of such names, the Team's updated list of those entities confirmed or reported to be defunct as required by paragraph 39 of Resolution 1989 (2011). This year alone, the names of 17 entries considered to be defunct have been removed from the List. The Committee has sent letters to the relevant States on sixteen of these names and the Team has been tasked to follow-up on the rest for the Committee's next review of such names.*

[22] *Under paragraph 40 of Resolution 1989 (2011), the Team will also be submitting a list of those names that have not been reviewed in three or more years for the Committee's second triennial review. This would include those names that were listed in 2009 that will be reviewed for the first time as well as those names that had been*

*reviewed under Paragraph 25 of Resolution 1822 (2008) comprehensive review in 2009. The Committee will also be writing to the relevant States on these names.*

### Reports

*[23] In accordance with Resolution 1989 (2011) the Team has submitted its 13th and last report under that resolution, together with its recommendations, to the Committee on 31st October 2012. The Committee has found this report of great interest and will shortly begin its discussion of the recommendations with a view to submitting its position on these recommendations to the Security Council, as has been its practice.*

### Ombudsperson

*[24] The Team has maintained and developed its close relationship with the Ombudsperson, and has so far provided information from its files and questions for the petitioner on most of the 33 petitions that she has received.*

### Outreach

*[25] The Team's interaction with Member States encourages compliance by promoting a thorough understanding of the sanctions regime; it facilitates a dialogue between States and the Committee, and it provides the Committee with additional information both about the entries on the List and the challenges of implementation, as well as on the effectiveness of the measures themselves. Since my last briefing on 10 May 2012, the Monitoring Team has made five country visits to Member States, including joint visits with the CTED to two States. To-date, the Team has participated in 21 joint country visits with CTED.*

*[26] The Team's continued interaction with the CTED and the 1540 Committee Group of Experts, the CTITF, and with international, regional and sub-regional organizations like INTERPOL and the FATF, are detailed in the joint statement that has been delivered by the Chair of the CTC. All this has increased understanding of the Al-Qaida sanctions regime and advanced its objectives.*