

38. Threats to international peace and security caused by terrorist acts

Deliberations of 12 January 2004 (4892nd meeting)

At its 4892nd meeting, on 12 January 2004, the Security Council heard a briefing by the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities. Statements were made by most members of the Council¹ and the representatives of Indonesia, Ireland (on behalf of the European Union),² Japan, Liechtenstein, Switzerland and the Syrian Arab Republic.

The President (Chile) drew the attention of Council members to a letter dated 1 December 2003 from the Chairman of the Committee established pursuant to resolution 1267 (1999), transmitting the second report of the Monitoring Group established pursuant to resolution 1363 (2001) and extended by resolutions 1390 (2002) and 1455 (2003).³ The report provided an in-depth analysis of specific problems associated with the implementation by States of sanctions measures against Al-Qaida, the Taliban and individuals and entities associated with them and contained an assessment of the reports submitted by States. The Monitoring Group observed that Al-Qaida ideology continued to spread and be a threat to international peace and security, for instance in Iraq, and drew attention to the risk of its members acquiring weapons of mass destruction. Regarding the asset freeze, the Monitoring Group reported that progress had been made towards cutting off Al-Qaida financing but that controlling charities used for the purpose of supporting terrorism was proving extremely difficult; other areas which needed improvement were the provision by States of names of individuals and entities

to be put on the Consolidated List, the implementation of the travel ban and the monitoring of and reporting on the implementation of the arms embargo. Based on the review of the implementation of the measures, the Monitoring Group concluded that without a tougher and more comprehensive resolution which obligated States to take the mandated measures, the role played by the United Nations in the battle risked becoming marginalized. The Monitoring Group therefore provided a list of recommendations for improvement.

In his briefing, the Chairman of the Committee described the visits carried out by the Monitoring Group by himself to selected countries as an important part of establishing a dialogue to raise mutual understanding between the Committee and States in implementing the measures. He pointed out serious reservations expressed by some European States during his visit regarding the topics of defining and freezing non-financial and other economic resources pursuant to the resolution, the challenges posed in implementing the travel ban and concerns regarding the Committee's Consolidated List, human rights and due process and hoped that the Council might take those concerns into account in preparing future resolutions. He stated that his visits had helped to foster commitments made by several States to submit additional information, including updated country reports and names for inclusion in the Consolidated List.

The Chairman of the Committee also reported that the freezing of assets other than bank accounts needed improvement. A more proactive approach in locating and freezing such assets and the establishment of the needed legal provisions by, for instance, promoting the universal ratification of the International Convention for the Suppression of the Financing of Terrorism might be useful. He also called for renewed efforts to cut the growing links between drug trafficking and terrorist financing. He further opined that only enhanced quality and credibility of the Consolidated List and increased technical capacity of States could lead to implementing the travel ban more effectively. He underlined that the arms embargo was the measure most difficult to implement because of differing interpretations of its scope, and stressed the need for defining the arms embargo in a more specific and targeted way.

¹ The representative of Chile briefed the Council in his capacity as the Chairman of the Committee but did not make a statement in his capacity as national representative.

² Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Poland, Romania, Serbia and Montenegro, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

³ S/2003/1070, submitted pursuant to paragraph 13 of resolution 1455 (2003).

While stating that a total of 93 reports had been submitted under resolution 1455 (2003), he emphasized that 98 States — 51 per cent — had not submitted a report. The fact that reports had been submitted by fewer than half of the Member States had seriously hampered the Committee in accomplishing its task of carrying out the requested assessments. The Committee remained determined to complete the assessment and intended to analyse and address the reasons why some States had not submitted reports. He also expressed the view that such States needed to be identified as States having failed to comply with Security Council resolutions.⁴

In their statements, speakers welcomed the work undertaken by the Committee and commended the visits it had carried out. They also pointed out the role of the United Nations sanctions regime against Al-Qaida and the Taliban as the main tool in combating terrorism. A number of speakers stressed the need for continuous improvement of the sanctions regime and looked forward to the adoption of a new resolution.⁵

The representative of Spain stressed that with the year 2004 a new phase had begun in which greater effect would be given to the asset freeze, the travel ban and the arms embargo imposed on individuals and entities linked to Al-Qaida and the Taliban. Those measures must be refined and the Consolidated List must continue to be improved.⁶

The representative of the United States called for the future work of the Committee to become more focused, emphasizing the necessity to explore key issues and examine Al-Qaida hotspots in more detail as some States and some issues warranted close Committee attention.⁷ Similarly, the representative of the Russian Federation advocated a greater use of targeted and selective approaches in determining countries whose efforts in implementing sanctions required careful study, while such an approach should be impartial and objective. According to the representative of Pakistan, the Committee should continue to operate within its mandate to ensure States'

compliance with relevant resolutions in order to maintain its credibility and legitimacy.⁸

While speakers agreed on the utility of the Consolidated List, some underlined that States should be encouraged to submit names and relevant information in order to make the List more operable and comprehensive.⁹ The representative of the United Kingdom encouraged the Committee to make it clear that there was no stigma attached to acknowledging the existence of Al-Qaida or the Taliban in the territory of a given country and that rather such acknowledgement would be a sign of the State's seriousness about its commitment to fight terrorism.¹⁰ Others stressed the need for improving the listing and delisting process.¹¹

Speakers in general emphasized that strengthened international cooperation was necessary, first and foremost by Member States. Some also supported further cooperation and coordination between the Committee and the Counter-Terrorism Committee,¹² INTERPOL¹³ or regional organizations.¹⁴

With regard to the cooperation between States and the Committee, many speakers deplored the reporting failures and several speakers called for a more proactive approach by the Committee to provide technical assistance to States that had not implemented sanctions and fulfilled their reporting duties¹⁵ and to analyse the reasons behind their non-compliance.¹⁶ The representative of Ireland, speaking on behalf of the European Union, reminded the Council that resolution 1455 (2003) requesting the reports from States had been adopted under Chapter VII of the Charter of the United Nations and therefore was mandatory and

⁴ S/PV.4892, pp. 2-7.

⁵ Ibid., p. 10 (France, China); p. 12 (Algeria); p. 13 (Spain); p. 14 (United Kingdom, Brazil); p.17 (Russian Federation); and p. 23 (Ireland, on behalf of the European Union).

⁶ Ibid., pp. 12-13.

⁷ Ibid., pp. 7-8.

⁸ Ibid., p. 18.

⁹ Ibid., p. 11 (China, Algeria); and pp. 13-14 (United Kingdom).

¹⁰ Ibid., pp. 13-14.

¹¹ Ibid., p. 18 (Pakistan); and p. 28 (Switzerland).

¹² Ibid., p. 11 (China); p. 12 (Algeria); p. 13 (Spain); p. 15 (Brazil); p. 19 (Benin); and pp. 28-29 (Syrian Arab Republic).

¹³ Ibid., p. 12 (Algeria); p. 13 (United Kingdom); and p. 15 (Brazil).

¹⁴ Ibid., p. 11 (China); p. 12 (Algeria); p. 13 (United Kingdom); p. 19 (Angola); p. 21 (Romania); and p. 22 (Indonesia).

¹⁵ Ibid., p. 10 (France); p. 10 (China); p. 13 (United Kingdom); and p. 16 (Philippines).

¹⁶ Ibid., p. 12 (Algeria); p. 14 (Brazil); and p. 19 (Angola).

obligated all States to implement the measures set forth therein.¹⁷

In addition, several speakers reiterated the importance of respect for human rights and the rule of law while combating terrorism¹⁸ and underlined that introducing elements of due process in the sanctions regime would increase its credibility and effectiveness.¹⁹ The representative of Brazil referred to the importance of ensuring that measures adopted to fight terrorism were in conformity with international law and with the commitments undertaken by Member States in that regard.²⁰ Other speakers also touched upon, *inter alia*, the need for addressing the root causes of terrorism²¹ and called for greater transparency in the working methods of the Monitoring Group.²²

**Decision of 30 January 2004 (4908th meeting):
resolution 1526 (2004)**

At the 4908th meeting, on 30 January 2004, the President (Chile) drew the attention of the Council to a draft resolution;²³ it was put to the vote and adopted unanimously and without debate as resolution 1526 (2004), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to improve the implementation of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002);

Decided also to strengthen the mandate of the Committee established pursuant to resolution 1267 (1999);

Decided further that the measures referred to above would be further improved in 18 months, or sooner if necessary;

Decided to establish for a period of 18 months an Analytical Support and Sanctions Monitoring Team with the responsibilities enumerated in the annex to the resolution;

Requested the Secretary-General to appoint eight members of the Monitoring Team;

Requested the Monitoring Team to submit three comprehensive reports to the Committee, by 31 July 2004, 15 December 2004 and 30 June 2005;

Requested the Committee, through its Chairman, to report orally to the Council in detail at least every 120 days on the overall work of the Committee.

Deliberations of 4 March 2004 (4921st meeting)

At its 4921st meeting, on 4 March 2004, the Council included in its agenda a letter dated 19 February 2004 from the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) to the President of the Council,²⁴ transmitting the report of the Committee on its revitalization.

The Council heard a briefing by the Chairman of the Committee, following which statements were made by all members of the Council and the representatives of Argentina (on behalf of the Rio Group), Belarus, Cameroon, Canada, Costa Rica, Cuba, Egypt, India, Indonesia, Ireland (on behalf of the European Union),²⁵ Israel, Japan, Kazakhstan, Liechtenstein, Mexico, New Zealand (on behalf of the Pacific Islands Forum), the Republic of Korea, South Africa, Switzerland, the Syrian Arab Republic and Ukraine.

In his briefing, the Chairman of the Committee informed the Council about the work undertaken the previous three months, presented the work plan for the upcoming three months²⁶ and commented on the Committee's report on its revitalization. Given that terrorism was one of the major threats to international peace and security and given that the United Nations must continue to play the lead role in the fight against that threat, he explained that the goal of the revitalization of the Committee was to become more operational, more proactive and more visible. In order to reach those goals, it was necessary to strengthen, *inter alia*, the monitoring of the implementation of all aspects of resolution 1373 (2001) through dialogue on the basis of cooperation, transparency and even-

¹⁷ *Ibid.*, p. 24.

¹⁸ *Ibid.*, p. 14 (Brazil); p. 23 (Ireland, on behalf of the European Union); p. 25 (Liechtenstein); and pp. 27-28 (Switzerland).

¹⁹ *Ibid.*, pp. 8-9 (Germany).

²⁰ *Ibid.*, pp. 14-15.

²¹ *Ibid.*, p. 12 (Algeria); p. 15 (Brazil); p. 18 (Pakistan); and p. 20 (Benin).

²² *Ibid.*, p. 24 (Ireland, on behalf of the European Union); p. 25 (Liechtenstein); and p. 27 (Switzerland).

²³ S/2004/79.

²⁴ S/2004/124.

²⁵ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, Norway, Poland, Romania, Serbia and Montenegro, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

²⁶ S/2004/32.

handedness, the facilitation of technical assistance to States and contacts and coordination with other United Nations bodies and among international and regional organizations. This should be done by adding to the current structure of the Committee an executive directorate under which the current experts and Secretariat personnel would be reorganized. He elaborated that the directorate would be the executive branch of the Committee and part of the Secretariat; that it would not set a precedent for other bodies of the Council and would not have a permanent structure since a sunset clause for 31 December 2007 should be established. He also stated that, to implement the revitalization, a Council resolution would be required which would not modify resolution 1373 (2001) or other relevant resolutions.²⁷

In their statements, speakers reflected on the work undertaken by the Committee so far and the road ahead, including the proposal on its revitalization. They welcomed the proposal and agreed that there was a need for the Committee to develop further, having regard to the interconnected and transnational threats of terrorism which required a multilateral response by the United Nations.

The representative of Algeria considered it urgent to “debureaucratize” the Committee’s structure in order to give it more flexibility when carrying out its work.²⁸ Several other speakers opined that the revitalization would enhance the Committee’s ability to fulfil its mandate, including monitoring of implementation of resolution 1373 (2001).²⁹ Some speakers said that the revitalization proposal did not modify resolution 1373 (2001) or the mandate of the Committee, as defined by that resolution.³⁰

With regard to the relationship between the proposed directorate and the Committee, the representative of the United Kingdom stated that the former would offer guidance and help to implement the Committee’s wishes. He explained that the directorate would be responsible to the Committee, while the

Committee would direct the work of the directorate.³¹ The representative of China shared a similar understanding.³²

Several delegations held that the creation of an executive directorate would not set a precedent and welcomed the fact that it was intended to be limited in time.³³ The representative of Mexico asked, given the administrative nature of the revitalization of the Committee, if a resolution on the topic needed to be adopted under Chapter VII of the Charter.³⁴

Most speakers also stressed the importance of coordination and cooperation with relevant international, regional or subregional organizations as well as specialized bodies such as the United Nations Office on Drugs and Crime. In the words of the representative of Switzerland, there was a need for synergy among those bodies.³⁵ A large number of speakers referred to the importance of facilitating technical assistance to and capacity-building for Member States and hoped for a more proactive role to be played by the Committee.³⁶

Some speakers also stressed that the revitalization must take place in conformity with the Charter³⁷ and without interfering with the responsibilities of the General Assembly.³⁸ As to the relationship with the Secretariat, a number of speakers stressed the existing consultation with it regarding the proposal,³⁹ while others called for close cooperation with and

²⁷ S/PV.4921, pp. 2-4.

²⁸ *Ibid.*, p. 6.

²⁹ *Ibid.*, p. 8 (United States); p. 9 (United Kingdom); p. 11 (Romania); p. 26 (Ukraine); pp. 30-31 (Republic of Korea); S/PV.4921 (Resumption 1), p. 11 (Indonesia).

³⁰ *Ibid.*, p. 10 (Brazil); p. 19 (Ireland, on behalf of the European Union); S/PV.4921(Resumption 1), p. 13 (Canada).

³¹ S/PV.4921, p. 9.

³² *Ibid.*, p. 14.

³³ *Ibid.*, p. 9 (United Kingdom); p. 12 (Angola); p. 17 (Pakistan); p. 19 (Ireland, on behalf of the European Union); p. 25 (Japan); S/PV.4921 (Resumption 1), p. 11 (Costa Rica, Indonesia).

³⁴ S/PV.4921 (Resumption 1), pp. 4-5.

³⁵ S/PV.4921, pp. 21-22.

³⁶ *Ibid.*, p. 10 (Brazil); p. 11 (Romania); p. 12 (Angola); p. 14 (China); p. 15 (Chile); p. 24 (Kazakhstan); p. 27 (New Zealand, on behalf of the Pacific Islands Forum); p. 28 (Cameroon); p. 31 (Republic of Korea); S/PV.4921 (Resumption 1), p. 3 (Liechtenstein); p. 4 (Argentina, on behalf of the Rio Group); p. 6 (Israel); and p. 8 (South Africa).

³⁷ S/PV.4921, p. 5 (Benin); p. 6 (Algeria); p.15 (Germany); p. 17 (Pakistan); p. 18 (France); S/PV.4921 (Resumption 1), p. 2 (Egypt); p. 4 (Argentina, on behalf of the Rio Group); and p. 8 (South Africa).

³⁸ S/PV.4921, p.15 (Germany); p. 17 (Pakistan); S/PV.4921 (Resumption 1), p. 2 (Egypt).

³⁹ S/PV.4921, p. 8 (United States); and p. 9 (United Kingdom).

preservation of the integrity of the Secretariat.⁴⁰ The representative of Switzerland asked if the fight against terrorism within the United Nations should continue to be the primary responsibility of a subsidiary body of the Council and proposed the establishment of a central office under the authority of the Secretary-General as a possible alternative.⁴¹

In stressing the obligation to ensure that anti-terrorism measures complied with international law, including norms related to human rights, several speakers welcomed the fact that the proposed structure was to establish a liaison with the Office of the United Nations High Commissioner for Human Rights and other relevant human rights organizations in matters related to counter-terrorism.⁴² Some speakers also proposed the appointment of a human rights specialist in an executive directorate.⁴³

**Decision of 11 March 2004 (4923rd meeting):
resolution 1530 (2004)**

At the 4923rd meeting, on 11 March 2004, the President (France) drew the attention of the Council to a draft resolution.⁴⁴ On behalf of the Council, he expressed outrage at the terrorist attack that had occurred earlier that day in Madrid, killing more than 190 people and wounding over 1,000. The draft resolution was then put to the vote and adopted unanimously and without debate as resolution 1530 (2004), by which the Council, *inter alia*:

Condemned in the strongest terms the bomb attacks in Madrid perpetrated by the terrorist group Euskadi ta Askatasuna (ETA) on 11 March 2004;

Expressed its deepest sympathy and condolences to the people and Government of Spain and to the victims of the terrorist attacks and their families;

Urged all States to cooperate actively in efforts to find and bring to justice the perpetrators, organizers and sponsors of those terrorist attacks;

Expressed its reinforced determination to combat all forms of terrorism.

**Decision of 26 March 2004 (4936th meeting):
resolution 1535 (2004)**

At its 4936th meeting, on 26 March 2004, the Council again included in its agenda the letter dated 19 February 2004 from the Chairman of the Counter-Terrorism Committee to the President of the Council, transmitting the report of the Committee on its revitalization.⁴⁵ The President drew attention to a draft resolution;⁴⁶ it was put to the vote and adopted unanimously and without debate as resolution 1535 (2004), by which the Council, *inter alia*:

Endorsed the report of the Counter-Terrorism Committee on its revitalization;

Decided that the revitalized Committee would consist of the Plenary and the Bureau;

Decided further that the Counter-Terrorism Committee Executive Directorate, headed by an Executive Director, would be responsible for the tasks stated in the report of the Committee, and requested the Secretary-General to appoint an Executive Director who would take up office as soon as possible;

Requested the Executive Director to submit to the Plenary, for its endorsement, an organizational plan for the Directorate, consistent with the Committee's report and United Nations rules and regulations, including its structure, staffing requirements, budget needs, management guidelines, recruitment procedures;

Decided that the Committee would continue to report to the Council on a regular basis.

**Decision of 30 March 2004 (4939th meeting):
statement by the President**

At the 4939th meeting, on 30 March 2004, the President (France) made a statement on behalf of the Council,⁴⁷ by which the Council, *inter alia*:

Recalled the statement of its President of 16 October 2003,⁴⁸ which had confirmed the continuation of the current arrangements for the Bureau of the Counter-Terrorism Committee for another six months, until 4 April 2004;

⁴⁰ *Ibid.*, p. 15 (Germany); p. 17 (Pakistan); p. 19 (Ireland, on behalf of the European Union); S/PV.4921 (Resumption 1), p. 3 (Liechtenstein).

⁴¹ S/PV.4921, p. 22.

⁴² *Ibid.*, p. 10 (Brazil); p. 16 (Chile); p. 19 (Ireland, on behalf of the European Union); p. 22 (Switzerland); p. 28 (Cameroon); S/PV.4921 (Resumption 1), p. 3 (Liechtenstein); p. 4 (Argentina, on behalf of the Rio Group); p. 5 (Mexico); and p. 12 (Canada).

⁴³ S/PV.4921, p. 15 (Germany); p. 19 (Ireland, on behalf of the European Union); S/PV.4921 (Resumption 1), p. 3 (Liechtenstein); p. 5 (Mexico); and p. 12 (Canada).

⁴⁴ S/2004/186.

⁴⁵ S/2004/124.

⁴⁶ S/2004/238.

⁴⁷ S/PRST/2004/8.

⁴⁸ S/PRST/2003/17.

Confirmed the continuation of the current arrangements for the Bureau of the Committee for another six months, until 4 October 2004.

**Decision of 10 May 2004 (4966th meeting):
statement by the President**

At the 4966th meeting, on 10 May 2004, the President (Pakistan) made a statement on behalf of the Council,⁴⁹ by which the Council, *inter alia*:

Unequivocally condemned the terrorist bomb attack that had taken place on 9 May 2004 in Grozny, Russian Federation, as a result of which many people were injured and killed, including the President of the Chechen Republic of the Russian Federation, Ahmad Kadyrov;

Condemned also in the strongest terms the perpetrators of that heinous act;

Expressed its deepest sympathy and condolences to the people and to the Government of the Russian Federation and to the victims and their families;

Urged all States to cooperate with Russian authorities in their efforts to bring to justice the perpetrators, organizers and sponsors of the attack;

Reaffirmed that terrorism constituted one of the most serious threats to international peace and security;

Expressed its determination to combat all forms of terrorism.

Deliberations of 25 May 2004 (4976th meeting)

At its 4976th meeting, on 25 May 2004, the Council heard a briefing by the Chairman of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities. Statements were made by most members of the Council⁵⁰ and the representatives of Costa Rica, India, Ireland (on behalf of the European Union)⁵¹ and Japan.

The President (Pakistan) drew the attention of Council members to a letter dated 27 April 2004 from the Chairman of the Committee established pursuant to

resolution 1267 (1999),⁵² transmitting the list of those States that had not submitted, by 31 March 2004, reports pursuant to paragraph 6 of resolution 1455 (2003), as well as an analytical summary of the reasons put forward by States for not reporting.

In his briefing, the Chairman of the Committee informed the Council about the overall work of the Committee and the Analytical Support and Sanctions Monitoring Team, which constituted the first of the 120-day oral assessments of the Committee as required by resolution 1526 (2004). He noted an increase in States' reporting compliance, pursuant to resolution 1455 (2003), leading to a total of 126 reports. He reported that the Committee had started to discuss a working paper containing definitions of terms used in resolution 1526 (2004) and other relevant resolutions, particularly the definition of the freezing of funds or other financial assets or economic resources, with the purpose of providing more clarity and precision to the Committee regarding the performance of its monitoring functions, as well as to Member States in their implementation efforts. He stated that since 1 January 2004 the names of 19 individuals and 6 entities had been placed on the Committee's List, which continued to play a crucial role in the implementation of the sanctions measures. The Committee had also established a contact list similar to the one used by the Counter-Terrorism Committee which would allow the Committee secretariat to automatically inform competent officials in Member States about amendments to the Committee's List. As to the Monitoring Team, which had begun its work in April 2004, it continued to develop its relationship with the Counter-Terrorism Committee Executive Directorate to ensure minimum overlap and maximum synergy. He said that, in a preliminary assessment, the Monitoring Team had found an uneven quality in States' reports. The Team also found that regarding the implementation of sanctions against Al-Qaida and the Taliban, many States did not see a need to adopt new specific laws. For the purpose of asset freezing, the Consolidated List continued to have limited distribution only to the banks in general, while most States had reported new regulations governing charities. Most States integrated the List into their border-control systems in order to implement the travel ban. He then reported about his recent mission pursuant to paragraph 10 of resolution 1526 (2004) to Algeria, Tunisia, Spain and Senegal,

⁴⁹ S/PRST/2004/14.

⁵⁰ The representative of Chile briefed the Council in his capacity as the Chairman of the Committee but did not make a statement in his national capacity.

⁵¹ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

⁵² S/2004/349.

which he described as “tremendously useful” for the future work of the Committee and highlighted the need for cooperation and information-sharing among States, especially between European and Maghreb States. He drew attention to several recommendations following his visit, including the improvement of cooperation between the Committee and the Counter-Terrorism Committee in view of a continuing need for assistance in a number of countries. Turning to the analysis of the reasons for not reporting, the Chairman held that many of those States lacked the capacity or the resources to fulfil their reporting obligations. Some also lacked awareness of the different roles of the Committee and the Counter-Terrorism Committee and therefore had an impression that submission of reports to the latter satisfied their reporting obligations in relation to the sanctions committee. The Team also found a lack of supervisory and coordination mechanisms at the national level.⁵³

Speakers commended the work of the Committee and the Monitoring Team and stressed the important role of the Monitoring Team in supporting the Committee in its work. Speakers considered resolution 1526 (2004) to be one important step in further improving the provisions for combating terrorism. They acknowledged the instrument of field visits as an important component of the dialogue between the Committee and States. The representative of Ireland, speaking on behalf of the European Union, emphasized the role of the Monitoring Group not only in improving the rate of reporting compliance but also in assessing the effectiveness of existing resolutions, legislation and controls in combating terrorist financing, hindering the movement of terrorists and upholding arms embargoes.⁵⁴

Speakers agreed that, since terrorism was a continuing threat and had taken on various forms, the fight against it necessitated increased cooperation of the international community. Some of them called for the continuous development of the Committee’s work in order to efficiently tackle the varying strategies and techniques of terrorism.⁵⁵ Some speakers, *inter alia*, focused on particular challenges facing the international community: the representative of France referred to the controlling of financial flows as a priority in the fight against Al-Qaida and stressed the need to develop

mechanisms for registering fund transfers so as to prevent the abuse of informal systems such as the *hawala* or human cash couriers.⁵⁶

Many speakers referred to the urgency of the submission of overdue reports and some called upon the Committee to mobilize assistance.⁵⁷ The representative of Costa Rica pointed to the reporting burdens that had arisen for States which had to answer increasingly detailed and lengthy questions. She therefore called for a better coordination among the various United Nations bodies responsible for counter-terrorism activities.⁵⁸ A number of other speakers also encouraged the Committee to improve cooperation and work in synergy with the Counter-Terrorism Committee and its Executive Directorate to avoid duplication in their closely related work.⁵⁹

Speakers in general considered the Consolidated List as one of the most effective instruments the Council had at hand in the fight against terrorism. At the same time, they saw a need for improving the quality of the information provided to assist national authorities in proceeding against the listed individuals and entities. Some speakers considered this information as being sometimes insufficient to stand up in a judicial process.⁶⁰ The representative of the Russian Federation called for a more careful approach to the List,⁶¹ and the representative of the United Kingdom welcomed the improvement proposals foreseen in the new work programme.⁶²

The importance of respecting human rights and the rule of law when enacting counter-terrorism measures was reiterated by several speakers.⁶³ The representative of the United Kingdom held that ensuring the respect for international human rights and refugee and humanitarian law added to the legitimacy of the sanctions regime. He further drew attention to the

⁵³ S/PV.4976, pp. 2-6.

⁵⁴ *Ibid.*, p. 22.

⁵⁵ *Ibid.*, p. 17 (Philippines); p. 18 (China); p. 19 (Pakistan); and p. 23 (India).

⁵⁶ *Ibid.*, pp. 11-12.

⁵⁷ *Ibid.*, pp. 8-9 (Benin); and p. 22 (Ireland, on behalf of the European Union, India).

⁵⁸ *Ibid.*, p. 24.

⁵⁹ *Ibid.*, p. 8 (Benin); p. 10 (Algeria); p. 15 (United Kingdom); p. 18 (China); p. 20 (Japan); and p. 22 (Ireland, on behalf of the European Union).

⁶⁰ *Ibid.*, p. 18 (Pakistan); and p. 24 (Costa Rica).

⁶¹ *Ibid.*, p. 12.

⁶² *Ibid.*, p. 15.

⁶³ *Ibid.*, p. 12 (France); p. 15 (United Kingdom); p. 17 (Philippines); p. 21 (Ireland, on behalf of the European Union); and pp. 23-24 (Costa Rica).

potential for humanitarian consequences arising from the freezing of the assets of mixed entities that provided assistance to the needy as well as to terrorists. He asked whether it would be possible, for example, to alert relief agencies about a listing which might have humanitarian consequences.⁶⁴

**Decision of 19 July 2004 (5006th meeting):
statement by the President**

At its 5006th meeting, on 19 July 2004, the Council included in its agenda a letter dated 1 July 2004 from the Chairman of the Counter-Terrorism Committee to the President of the Council, transmitting the work programme of the Committee for the period from 1 July to 30 September 2004.⁶⁵

The Council heard a briefing by the new Chairman of the Counter-Terrorism Committee, following which statements were made by most members of the Council⁶⁶ and the representatives of Côte d'Ivoire, Indonesia, Israel, Japan, Kazakhstan (on behalf of the Collective Security Treaty Organization), Liechtenstein, the Netherlands (on behalf of the European Union),⁶⁷ the Syrian Arab Republic and Uzbekistan.

In his briefing, the Chairman first reported on the implementation of the Committee's previous work programme, which was characterized by the process of revitalization started by resolution 1535 (2004). In this transitional period, attention had been paid to reform efforts and to short-term activities at the same time and therefore, a slowdown in the review of States' reports could not be avoided. The Committee had begun and would continue to work on country assessments of assistance needs. He reported that encouraging States to become parties to the relevant conventions and protocols related to terrorism and to implement them in their national legislation had remained one of the Committee's priorities; and that it had continued to develop cooperation and coordination with

international, regional and subregional organizations as well as with United Nations bodies, namely the Committees established pursuant to resolutions 1267 (1999) and 1540 (2004). He reminded States that had not submitted reports to submit them as soon as possible and expressed the Committee's readiness to assist those States encountering problems in submitting their reports. He stressed that the main task in the coming months was the implementation of resolution 1535 (2004) and that the Committee was about to consider the draft organizational plan for its Executive Directorate submitted by its Executive Director and present it to the Council for its endorsement.⁶⁸

In their statements, speakers welcomed the newly appointed Executive Director of the Counter-Terrorism Committee Executive Directorate. The representative of the United Kingdom considered the appointment as giving reason "to take activity to a new level".⁶⁹ Many delegations considered the establishment of the Directorate as an essential part of the revitalization process and stressed the urgency of making it operational as soon as possible.⁷⁰

In identifying different challenges for the future work of the Counter-Terrorism Committee, speakers highlighted a need for it to improve its technical assistance to States by addressing their assistance needs more vigorously.⁷¹ Most delegations agreed that the planned visits of the Committee to States with their consent would be most useful in enhancing an open dialogue with them and enable the Committee to verify the implementation of resolution 1373 (2001).⁷² According to the representative of Brazil, the biggest challenge for the Committee and its Executive Directorate was to persuade countries that it was in their own interest to take advantage of the various sources of cooperation made available to them, including with the Committee.⁷³ The delegation of Kazakhstan, speaking

⁶⁴ Ibid., p. 15.

⁶⁵ S/2004/541.

⁶⁶ The representative of the Russian Federation briefed the Council in his capacity as the Chairman of the Committee but did not make a statement in his national capacity; the representatives of Benin and France did not make statements.

⁶⁷ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

⁶⁸ S/PV.5006, pp. 2-5.

⁶⁹ Ibid., p. 9.

⁷⁰ Ibid., p. 5 (United States); p. 10 (Spain, China); and p. 11 (Algeria, Angola).

⁷¹ Ibid., p. 9 (United Kingdom); p. 10 (Spain); p. 11 (Algeria); p. 12 (Angola); p. 13 (Romania); p. 14 (Netherlands, on behalf of the European Union); p. 19 (Japan); and p. 23 (Uzbekistan).

⁷² Ibid., p. 10 (Spain, China); p. 11 (Algeria); p. 12 (Angola); p. 14 (Netherlands, on behalf of the European Union); and p. 23 (Kazakhstan, on behalf of the Collective Security Treaty Organization).

⁷³ Ibid., p. 12.

on behalf of the Collective Security Treaty Organization, called for linking technical assistance to the strengthening of interaction with international and regional organizations.⁷⁴

A number of speakers identified strengthening the cooperation with international, regional and subregional organizations as another major aspect of the future work of the Committee.⁷⁵ Several speakers in this context appreciated the special meeting of the Committee with those organizations to be held in Cairo later in 2004 and to be hosted by the League of Arab States.⁷⁶ Many speakers also emphasized the need to further develop any inter-institutional cooperation, in particular with the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban.⁷⁷ The representative of Chile as Chairman of that Committee expressed his determination to enhance cooperation between the two committees and reported that an informal meeting between the two Chairmen had been held. He stated that a new area of cooperation had been proposed, namely, the holding of regular meetings of the two Chairmen and the experts.⁷⁸

Regarding other remaining challenges, the representative of Côte d'Ivoire stated that universal agreement on the definition of acts of terrorism was a prerequisite for any collective strategy to fight terrorism.⁷⁹ Some speakers saw newly emerging threats in drug trafficking as a means of financing terrorism and in the access of terrorists to weapons of mass destruction.⁸⁰ The delegation of Israel said that terrorism was becoming increasingly sophisticated and that the Committee and States had to anticipate new directions it might take and pay careful attention to emerging trends.⁸¹ The representative of Romania, in

his capacity as Chairman of the Committee established pursuant to resolution 1540 (2004), expressed his readiness to discuss possible synergies between his Committee and the Counter-Terrorism Committee.⁸²

Following the discussion, the President made a statement on behalf of the Council,⁸³ by which the Council, *inter alia*:

Invited the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the twelfth 90-day period, focusing on practical measures to implement resolution 1535 (2004) on the revitalization of the Committee, including by considering the organizational plan for the newly established Counter-Terrorism Committee Executive Directorate;

Noted the importance of continuing the efforts of the Committee aimed at increasing the capabilities of Member States to combat terrorism, to identify and address the problems faced by States in implementing resolution 1373 (2001), to facilitate the provision of technical assistance adjusted to the countries' needs, to encourage the largest possible number of States to become parties to the international conventions and protocols related to counter-terrorism, and to strengthen its dialogue and cooperation with international, regional and subregional organizations acting in the areas outlined by resolution 1373 (2001);

Noted that, as of 30 June 2004, 71 States had not met the deadline for submission of their respective reports to the Committee as set out in resolution 1373 (2001); and called upon them urgently to do so, in order to maintain the universality of response which resolution 1373 (2001) required.

**Decision of 1 September 2004 (5026th meeting):
statement by the President**

At the 5026th meeting, on 1 September 2004, the President (Spain) made a statement on behalf of the Council,⁸⁴ by which the Council, *inter alia*:

Condemned in the strongest terms the heinous terrorist act involving the taking of hostages at a secondary school in the town of Beslan, Russian Federation, on 1 September 2004, as well as other terrorist attacks committed recently against innocent civilians in Moscow and on two Russian airliners, in which many lives were lost and people injured;

Demanded the immediate and unconditional release of all hostages in the terrorist attack;

Expressed its deepest sympathy and condolences to the people and the Government of the Russian Federation and to the victims of the terrorist acts and their families;

⁷⁴ *Ibid.*, pp. 23-24.

⁷⁵ *Ibid.*, p. 9 (United Kingdom); p. 10 (Spain); p. 12 (Angola); p. 13 (Romania); p. 15 (Syrian Arab Republic); and p. 22 (Uzbekistan).

⁷⁶ *Ibid.*, p. 10 (China); p. 11 (Algeria); p. 14 (Netherlands, on behalf of the European Union); and p. 15 (Syrian Arab Republic).

⁷⁷ *Ibid.*, p. 9 (United Kingdom); p. 10 (Spain); p. 11 (Algeria); p. 14 (Netherlands, on behalf of the European Union); p. 16 (Liechtenstein); p. 20 (Japan); and p. 21 (Côte d'Ivoire).

⁷⁸ *Ibid.*, p. 6.

⁷⁹ *Ibid.*, p. 21.

⁸⁰ *Ibid.*, p. 22 (Uzbekistan); and p. 24 (Kazakhstan, on behalf of the Collective Security Treaty Organization).

⁸¹ *Ibid.*, pp. 17-19.

⁸² *Ibid.*, p. 13.

⁸³ S/PRST/2004/26.

⁸⁴ S/PRST/2004/31.

Expressed its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations.

**Deliberations of 13 September 2004
(5031st meeting)**

At its 5031st meeting, on 13 September 2004, the Council included in its agenda a letter dated 23 August 2004 from the Chairman of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Council,⁸⁵ transmitting the first report of the Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004).

The Council heard a briefing by the Chairman of the Committee, following which statements were made by most members of the Council⁸⁶ and the representatives of Australia, India, Indonesia, Japan, Malaysia, the Netherlands (on behalf of the European Union)⁸⁷ and Singapore.

In his briefing, the Chairman, reiterating that terrorism constituted one of the most serious threats to international peace and security, informed the Council of the activities which the Committee and its Monitoring Team had undertaken since his last briefing in May 2004. The Committee had discussed an informal document on non-mandatory measures contained in resolution 1526 (2004) that were important for the implementation of the sanctions regime. These included measures seeking to cut the flow of funds and other financial assets to and from individuals and entities on the Committee's List, to improve the List and to strengthen cooperation in capacity-building for implementation. He said that the Committee realized that some measures might become mandatory in the future if deemed appropriate and necessary. He reported also that the Committee had revised the guidelines for the conduct of its work; added new names to the List; established a fully operational list of contact points regarding notification

to Member States of changes in the List; established an active working relationship with the Chairman of the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate. He reported that the Monitoring Team, for the past four months, had focused on establishing a close and effective working relationship with the Committee and Member States as well as with the Counter-Terrorism Committee. The Team had worked on improving the Committee's List by requesting additional information from States and had undertaken several country visits to assess the evolution of the threat posed by Al-Qaida, to seek suggestions on how to improve the List, to discuss ideas for making sanctions more effective and to encourage States to add names to the List. The Chairman commended the fact that the Team's first report,⁸⁸ currently under consideration by the Committee, contained fresh ideas and would give new impetus to the work of the Committee. He said that the Team had foreshadowed a number of measures that might be taken to improve the functionality and credibility of the List and to strengthen the effectiveness of the existing financial sanctions, arms embargo and travel ban. The Team had noted that the nature of the threat from Al-Qaida and the Taliban was constantly evolving and that therefore a creative and effective response of the international community was required. He pointed out that continued cooperation with Member States remained the most important aspect of the Committee's work and that in this context improving the quality of the List, the opportunity provided for in resolution 1526 (2004) for States to meet with the Committee, and the country visits of the Committee were three issues of specific interest. He strongly encouraged all States to submit new names to the List, which currently contained only a small fraction of individuals and entities associated with Al-Qaida and the Taliban. He also explained that the Committee was aware of the fact that States had concerns regarding due process, the delisting of certain names and the potential stigmatization of listed persons, and announced that the Committee would ask the Monitoring Team to explore the reasons for non-submission of names. He emphasized that sanctions implementation, including in the context of delisting procedures, must take place in accordance with the Charter of the United Nations and international law. With regard to meetings between the

⁸⁵ S/2004/679.

⁸⁶ The representative of Chile briefed the Council in his capacity as the Chairman of the Committee but did not make a statement in his national capacity.

⁸⁷ Albania, Bulgaria, Croatia, Iceland, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

⁸⁸ S/2004/679.

Committee and Member States, he deplored that no such meetings had been held and underlined that the purpose of those meetings was to learn more about States' experiences and concerns and to explore ways to improve the sanctions regime. Country visits also were an invaluable tool in improving cooperation between the Committee and Member States.

The Chairman highlighted some concrete tasks before the Committee, namely, improving the quality of the List; a closer focus on the results of States' enforcement activities to detect problems faced by States; boosting the Committee's work in the area of delisting and exceptions pursuant to resolution 1452 (2002); continuing country visits in order to constantly evaluate the application of sanctions measures on the ground; enhanced dialogue with Member States in order to be able to give them the needed assistance; increased cooperation and coordination with the Counter-Terrorism Committee and its Executive Directorate, the Committee established pursuant to resolution 1540 (2004) and all relevant international agencies or organizations.⁸⁹

Speakers concurred with the Monitoring Team's assessment regarding the changing nature of the threat posed by Al-Qaida and the Taliban and saw a need to constantly refine and adjust sanctions measures to that changing nature. Country visits of the Chairman on behalf of the Committee were praised as particularly useful for fostering a dialogue and promoting transparency.⁹⁰

Closer cooperation with other bodies, particularly with the Counter-Terrorism Committee and its Executive Directorate, was emphasized by many delegations, most of them welcoming the development of further cooperation with the Committee established pursuant to resolution 1540 (2004).⁹¹ In the context of greater cooperation, the representative of India proposed that visits by the Committee to States to enhance coordination and information exchange could

involve the Counter-Terrorism Committee and its Executive Directorate.⁹²

The representative of the United Kingdom stated that the Consolidated List was not for use by the Council or the Committee alone but belonged to every Member State. He encouraged States to take ownership of the List, most importantly by submitting names for inclusion on that List.⁹³ Several other delegations reaffirmed the need for the List to be constantly completed and updated and stated that it could only be as good as the data provided by States.⁹⁴ The representative of Pakistan pointed to the completeness and accuracy of the List as being essential for the success of sanctions.⁹⁵ He also warned about financial sanctions unduly targeting Islamic charities and about an expansive interpretation of the term "associates".⁹⁶

The representative of the Russian Federation opined that rather than discuss the flaws of the List, Member States should support the Committee by submitting additional information.⁹⁷ The representative of Algeria believed that it would be ill-advised to suspend or remove names from the List because of insufficient information but instead the focus should be put on the threat those individuals or entities posed.⁹⁸

Regarding the issue of delisting, the delegation of Germany pointed to its growing importance, particularly with regard to justly listed individuals who later turned their backs on terrorism. He stated that delisting was not only an issue of due process in relation to concerned individuals but that it had a positive potential in the sense that it could provide an incentive for those individuals to cooperate with counter-terrorism investigations.⁹⁹ The representative of Angola stated that while Member States should submit names, the Committee for its part should consider procedures for delisting.¹⁰⁰ The representative of Brazil proposed that the Committee should derive benefit from the measures to improve the functionality

⁸⁹ S/PV.5031, pp. 2-7.

⁹⁰ Ibid., p. 8 (United Kingdom); p. 9 (Pakistan); p. 20 (Brazil); p. 29 (Indonesia); and p. 30 (Malaysia).

⁹¹ Ibid., p. 8 (United Kingdom); p. 11 (Philippines); p. 16 (Benin); p. 17 (Angola); p. 18 (Algeria); pp. 21-22 (Spain); p. 22 (Australia); p. 24 (Netherlands, on behalf of the European Union); p. 25 (Japan); and pp. 29-30 (Malaysia).

⁹² Ibid., p. 28.

⁹³ Ibid., pp. 8-9.

⁹⁴ Ibid., p. 14 (Germany); p. 22 (Australia); pp. 23-24 (Netherlands, on behalf of the European Union); pp. 24-25 (Japan); and p. 30 (Malaysia).

⁹⁵ Ibid., p. 9.

⁹⁶ Ibid., pp. 9-10.

⁹⁷ Ibid., pp. 12-13.

⁹⁸ Ibid., pp. 18-19.

⁹⁹ Ibid., pp. 13-14.

¹⁰⁰ Ibid., pp. 16-18.

and credibility of the List which had been proposed by the Monitoring Team in its report and requested it to present specific suggestions to the Committee. He also found that specific proposals with regard to due process issues could be of help to the Committee.¹⁰¹ The representative of Pakistan also asked the Committee to further improve the delisting procedures and address due process concerns.¹⁰² The representative of Spain stressed the need to improve the basic identifying data for individuals and entities included on the List and proposed approaching other international organizations experienced in fighting transnational organized crime, explicitly naming INTERPOL. He also pointed to the need to establish a procedure for delisting which he considered a key issue if the Council was to preserve the universal legitimacy of the work of the Committee.¹⁰³ The representative of India proposed that the Committee should hold those States that harboured listed individuals or entities accountable for non-compliance with the relevant Chapter VII resolutions.¹⁰⁴

The representative of France stressed that counter-terrorism measures must not undermine the rule of law and fundamental rights of citizens and that therefore his delegation would remain vigilant to ensure that both effectiveness and respect for the rule of law were complied with.¹⁰⁵ Similarly, several other speakers emphasized the need to respect international law in combating terrorism.¹⁰⁶

The representative of Algeria stated that the right to asylum was abusively granted to terrorist organizations and individuals involved in acts of terrorism in their country of origin, and that this led to conveying impunity to those organizations or individuals. He therefore called for encouraging States to fully cooperate in the field of extradition. This could be done by making better use of the opportunities provided for in Chapter VII of the Charter. He expressed his wish for the Monitoring Team to address this issue in order to strengthen international judicial cooperation in the area of extradition.¹⁰⁷

¹⁰¹ Ibid., pp. 18-19.

¹⁰² Ibid., p. 9.

¹⁰³ Ibid., pp. 20-22.

¹⁰⁴ Ibid., pp. 26-28.

¹⁰⁵ Ibid., pp. 14-15.

¹⁰⁶ Ibid., p. 15 (China); p. 16 (Benin); pp. 23-24 (Netherlands, on behalf of the European Union); p. 29 (Indonesia); and p. 30 (Malaysia).

¹⁰⁷ Ibid., p. 19.

**Decision of 8 October 2004 (5053rd meeting):
resolution 1566 (2004)**

At the 5053rd meeting, on 8 October 2004, the President (United Kingdom) drew the attention of the Council to a draft resolution.¹⁰⁸ Statements were made by all members of the Council, and the representative of Turkey, on behalf of the Organization of the Islamic Conference.

The draft resolution was put to the vote and adopted unanimously as resolution 1566 (2004), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Condemned in the strongest terms all acts of terrorism as one of the most serious threats to peace and security;

Called upon States to cooperate fully in the fight against terrorism;

Called upon all States to become party to the relevant international conventions and protocols;

Called upon relevant international, regional and subregional organizations to strengthen international cooperation in the fight against terrorism;

Requested the Counter-Terrorism Committee to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism;

Directed the Committee to start visits to States in order to enhance the monitoring of the implementation of resolution 1373 (2001);

Decided to establish a working group to consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups or entities involved in or associated with terrorist activities;

Requested the working group to consider the possibility of establishing an international fund to compensate victims of terrorist acts;

Requested the Secretary-General to take appropriate steps to make the Counter-Terrorism Committee Executive Directorate fully operational and to inform the Council by 15 November 2004.

Speakers in general believed that the resolution strengthened the central role of the United Nations in the fight against terrorism and that it would further intensify the international cooperation required for countering terrorism effectively. Some stressed that the resolution would strengthen cooperation with regard to fighting international terrorism beyond cooperation

¹⁰⁸ S/2004/792.

against Al-Qaida and the Taliban.¹⁰⁹ In addition, speakers emphasized that the fight against terrorism must comply with the Charter and with States' obligations under international law, especially human rights, refugee and humanitarian law.

Discussing specific paragraphs in resolution 1566 (2004), speakers touched upon the issue of self-determination and acts of terrorism in connection with operative paragraph 3.¹¹⁰ The representative of Brazil made clear that that paragraph reflected compromise language that contained a clear political message, but that it was not an attempt to define the concept of terrorism.¹¹¹

With regard to future tasks of the working group established by the resolution, which included looking into ways and means to identify individuals, groups and entities involved in terrorist activities, many delegations proposed setting up a list as the most appropriate means to identify the relevant individuals, groups and entities.¹¹² Some speakers emphasized the need for those new measures proposed by the working group to observe international law and international humanitarian law and the provisions of due process.¹¹³

The representative of Brazil was of the view that the Council, in its current practice, was excessively resorting to the use of Chapter VII of the Charter. The adoption of the entire operative part of resolution 1566 (2004) under Chapter VII suggested, in his opinion, that not enough emphasis had been given to possibilities of international cooperative action. He held that such a tendency was both unnecessary and counterproductive, particularly with regard to the appeal to Member States contained in operative paragraph 5.¹¹⁴ Referring to Article 24 (2) of the Charter, the representative of Benin held that no provision of the resolution should be interpreted in

such a manner as to violate the principles of the Charter and urged Member States to implement the resolution in that spirit.¹¹⁵

**Decision of 19 October 2004 (5059th meeting):
statement by the President**

At its 5059th meeting, on 19 October 2004, the Council included in its agenda a letter dated 15 October 2004 from the Chairman of the Counter-Terrorism Committee addressed to the President of the Council, transmitting the work programme of the Committee for the period from 1 October to 31 December 2004.¹¹⁶

The Council heard a briefing by the Chairman of the Committee and by the Executive Director of the Counter-Terrorism Committee Executive Directorate. Statements were made by most members of the Council¹¹⁷ and the representatives of Bangladesh, Canada, Colombia, Costa Rica, Cuba, Egypt, El Salvador, Fiji, India, Indonesia, Israel, Japan, Liechtenstein, Malaysia, Nepal, the Netherlands (on behalf of the European Union),¹¹⁸ Nigeria, Peru, the Republic of Korea, Samoa (on behalf of the Pacific Islands Forum), Switzerland, Thailand, Uganda and Ukraine (on behalf also of Azerbaijan, Georgia, Moldova and Uzbekistan).¹¹⁹

In his briefing, the Chairman of the Counter-Terrorism Committee updated the Council on the Committee's activities of the past three months, which marked the beginning of the revitalization process initiated in resolution 1535 (2004) subsequent to the endorsement of the organizational plan for the Counter-Terrorism Committee Executive Directorate by the Council. He announced that the new work programme would build on the main achievements of the previous three months in order to finalize the

¹⁰⁹ S/PV.5053, p. 4 (Pakistan); and p. 10 (United Kingdom).

¹¹⁰ Ibid., p. 2 (Turkey); p.3 (Russian Federation); p. 4 (Algeria); p. 7 (United States); and p. 8 (Philippines). For more information on the discussion concerning paragraph 3 of resolution 1566 (2004), see chap. XII, part I, sect. A, case 2, with regard to Article 1 (2) of the Charter.

¹¹¹ S/PV.5053, p. 7.

¹¹² Ibid., p. 3 (Russian Federation); p. 5 (Spain); p. 6 (Romania, Germany); p. 7 (United States); p. 9 (France); and p. 10 (United Kingdom).

¹¹³ Ibid., p. 5 (Chile); and pp. 7-8 (Brazil).

¹¹⁴ Ibid., pp. 7-8.

¹¹⁵ Ibid., pp. 8-9.

¹¹⁶ S/2004/820.

¹¹⁷ The representative of the Russian Federation briefed the Council in his capacity as the Chairman of the Committee but did not make a statement in his national capacity.

¹¹⁸ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

¹¹⁹ For more information on the discussion at this meeting, see chap. III, part II, sect. A, case 7, with regard to procedures relating to participation; and chap. XII, part I, sect. A, case 2, with regard to Article 1 (2) of the Charter.

transition to the new organizational structure. He reported that the work of the group of experts enabled the Committee to speed up the process of reviewing Member States' reports. The Committee had continued to integrate an analysis and assessment of each country's assistance needs into the review process and approved a guidance document for making those assessments, which, with the consent of the concerned States, could be shared with interested donor States and organizations. Furthermore, a database of needed and available assistance was maintained by the Committee. The provision of information from States was a vital tool to help those States that sought technical assistance. He said that the Committee had concentrated on the preparation of its visits to Member States and had been engaged in the preparation of the fourth special meeting with international, regional and subregional organizations. With regard to future activities, the Chairman announced that the Committee intended to implement the relevant provisions of resolution 1566 (2004) which had prioritized its main tasks, namely, closer cooperation with other Security Council bodies dealing with counter-terrorism, strengthening cooperation with international, regional and subregional organizations, speeding up the revitalization process on the basis of the organizational plan of its Executive Directorate, and enhancing dialogue and exchange with Member States and facilitating technical assistance. He also announced that, pursuant to resolution 1566 (2004), the Committee, in consultation with the relevant international, regional and subregional organizations and United Nations bodies, would prepare a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism.¹²⁰

The Executive Director of the Counter-Terrorism Committee Executive Directorate briefed the Council on the steps taken to make the Directorate operational. He reported that administratively he prepared the budget and arranged the contracting of experts and other personnel. He had also initiated contacts with a wide range of international organizations of primary relevance to the future work of the Directorate. Elaborating on priorities, he stated that, once it was fully operational, the Directorate would intensify dialogue with Member States to identify their needs and obtain the assistance they required, by conducting

¹²⁰ S/PV.5059, pp. 2-5.

periodic evaluations and country visits and working with international organizations that could help detect the needs of the State and coordinate assistance.¹²¹

Speakers expressed their hope to see the Directorate in operation as soon as possible. They fully concurred with and further elaborated on the four priorities enumerated by the Chairman of the Counter-Terrorism Committee. They furthermore concurred that terrorism remained one of the most serious threats to international peace and security, referring to incidents not only rising in numbers but also leaving growing damage.

Several delegations regretted that some States had missed the deadline for submitting reports to the Committee and urged them to meet their obligations as soon as possible.¹²² The representative of Chile suggested that those States request the technical assistance that the Committee, international organizations and donor countries were ready to provide.¹²³ The representative of the United Kingdom called upon them to inform the Committee of the problems that they were facing.¹²⁴ The representative of Brazil, pointing out that the Committee, and by extension its Executive Directorate, was not to be likened to a sanctions committee, recommended that States examine the possibility of approaching those bodies in order to discuss ways of increasing cooperation.¹²⁵ The representative of Samoa, speaking on behalf of the Pacific Islands Forum group of countries, opined that the group, which consisted mainly of developing and small island States, often lacked resources and technical expertise to fulfil its obligations. He therefore welcomed consultations between Member States and the Counter-Terrorism Committee that aimed at extending assistance to small and developing States and encouraged the Committee to consider the option of a Pacific regional report with which small island countries could meet their obligations.¹²⁶

Several delegations, while acknowledging the accomplishments of the current Committee Chairman and the Executive Director, explicitly called for

¹²¹ *Ibid.*, pp. 5-6.

¹²² *Ibid.*, p. 6 (Chile); p. 12 (Pakistan); p. 16 (Algeria); and pp. 23-24 (Netherlands, on behalf of the European Union).

¹²³ *Ibid.*, p. 6.

¹²⁴ *Ibid.*, p. 20 (United Kingdom).

¹²⁵ *Ibid.*, pp. 11-12.

¹²⁶ S/PV.5059 (Resumption 1), pp. 11-13.

providing technical assistance more actively.¹²⁷ The representative of Romania saw the increase in the number of States that belatedly submitted reports as an incentive for the Committee to make facilitation of technical assistance a top priority in the near future;¹²⁸ other speakers urged the Committee to identify the reasons for the backlog.¹²⁹

The representative of France considered country visits as a future priority for the Committee and proposed initial visits to those countries in which the needs for complying with resolution 1373 (2001) appeared to be the greatest.¹³⁰ The representative of Japan hoped that after the visits the Committee would share its views with Member States regarding the achievements of each visit and what it was expected to produce.¹³¹

A number of speakers pointed to the significance of enlarging the number of signatures of international treaties on counter-terrorism. Many appealed to States that were not yet parties to those treaties to become parties to them and to implement legislation.¹³² Other speakers referred to the urgency of completing the work on the draft comprehensive convention against terrorism.¹³³ The representative of Algeria stressed the complementarity of regional instruments to the international arrangements for strengthening cooperation in the fight against terrorism.¹³⁴ The representative of the United States made clear that joining regional conventions could not be viewed as an alternative to joining international ones as stated in resolution 1566 (2004).¹³⁵

Several delegations stressed the importance of close coordination among all Council bodies dealing

with terrorism¹³⁶ and of coordination with other parts of the United Nations system.¹³⁷ Referring to the newly established working group pursuant to resolution 1566 (2004), the representative of Japan called for thoroughly elucidating the relationship between that group and the existing organs in order for the group to contribute to the strengthening of counter-terrorism policy.¹³⁸ The representative of the United Kingdom proposed that the group remained in close contact with the existing bodies to draw on their expertise.¹³⁹

Speakers in general welcomed the adoption of resolution 1566 (2004), with some delegations reiterating their positions expressed at the 5053rd meeting. Some delegations emphasized that defining terrorism fell under the functions and powers of the General Assembly.¹⁴⁰ The representatives of Brazil and Costa Rica repeated that resolution 1566 (2004) reflected compromise language that contained a clear important political message, but that it was not an attempt to define the concept of terrorism in a legal sense.¹⁴¹ The representative of Cuba was of the opinion that resolution 1566 (2004) was designed to define terrorism in a manner that was biased and that it demonstrated the “Council’s tendency to legislate under Chapter VII of the Charter”.¹⁴² The representative of Egypt stressed that, during the consultations on resolution 1566 (2004), Member States had emphasized the importance of relying on international conventions aimed at international cooperation, rather than increasingly resorting to Chapter VII of the Charter in this matter.¹⁴³ The representatives of Liechtenstein and Switzerland pointed out that the definition of involvement in terrorist acts was unclear and so was the attempt to define terrorist acts; this would also raise questions as to the relationship between the work of the Council and the efforts under way in the General

¹²⁷ S/PV.5059, p. 8 (Philippines); p. 10 (Spain); p. 12 (Pakistan); p. 15 (Romania); p. 16 (Algeria); p. 18 (Angola); S/PV.5059 (Resumption 1), p. 8 (Republic of Korea).

¹²⁸ S/PV.5059, p. 15.

¹²⁹ S/PV.5059 (Resumption 1), p. 2 (Peru); and p. 9 (Malaysia).

¹³⁰ S/PV.5059, p. 13.

¹³¹ *Ibid.*, p. 21.

¹³² *Ibid.*, p. 7 (Chile); p. 16 (Benin); p. 19 (United States); p. 23 (Netherlands, on behalf of the European Union); S/PV.5059 (Resumption 1), p. 10 (Nigeria).

¹³³ S/PV.5059, p. 18 (Angola); p. 26 (India); S/PV.5059 (Resumption 1), p. 16 (Nepal).

¹³⁴ S/PV.5059, p. 17.

¹³⁵ *Ibid.*, p. 19.

¹³⁶ *Ibid.*, p. 8 (Philippines); p. 14 (Romania); p. 16 (Algeria); p. 20 (United Kingdom); p. 23 (Netherlands, on behalf of the European Union); S/PV.5059 (Resumption 1), p. 2 (Peru); and p. 8 (Republic of Korea).

¹³⁷ S/PV.5059, p. 23 (Netherlands, on behalf of the European Union); S/PV.5059 (Resumption 1), p. 2 (Peru).

¹³⁸ S/PV.5059, p. 21.

¹³⁹ *Ibid.*, p. 20.

¹⁴⁰ S/PV.5059, p. 11 (Brazil); p. 27 (Cuba); S/PV.5059 (Resumption 1), p. 18 (Egypt); and p. 20 (Costa Rica).

¹⁴¹ S/PV.5059, p. 11 (Brazil); S/PV.5059 (Resumption 1), p. 20 (Costa Rica).

¹⁴² S/PV.5059, p. 27.

¹⁴³ S/PV.5059 (Resumption 1), p. 18.

Assembly to agree on a definition of terrorism.¹⁴⁴ The representative of Switzerland further held that formulations of a legislative nature in resolution 1566 (2004) did not comply with the principle of legality in criminal law.¹⁴⁵

While the representative of Brazil supported the establishment of a working group dealing with terrorism outside Al-Qaida, he spoke against the idea of establishing a Consolidated List of individuals and organizations classified as terrorists since this could lead to politicization of the body.¹⁴⁶ The representative of Switzerland called for all States, and not the Council alone, to be included when deciding on the content of such a list. Furthermore, he proposed creating an opportunity for those people and entities on the List to challenge such a listing.¹⁴⁷ The representative of Liechtenstein reiterated the view that the new regime foreseen in resolution 1566 (2004) to impose measures on individuals or entities not falling under resolution 1267 (1999) must be equipped with a mechanism to establish facts objectively and to review decisions in a fair and independent manner in order to comply with due process standards.¹⁴⁸

At the end of the meeting, the President (United Kingdom) made a statement on behalf of the Council,¹⁴⁹ by which the Council, *inter alia*:

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to peace and security;

Invited the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the thirteenth 90-day period focusing on practical measures to implement resolution 1535 (2004) on the revitalization of the Committee, including implementation of the organizational plan for the Counter-Terrorism Committee Executive Directorate, and resolution 1566 (2004);

Invited the Committee to continue preparing and begin sending to Member States assessments of their assistance needs for eventual sharing with interested donor States and organizations;

Invited the Committee to start to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism.

Deliberations of 17 December 2004 (5104th meeting)

At its 5104th meeting, on 17 December 2004, the Council heard a briefing by the Chairman of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities. Statements were made by most members of the Council¹⁵⁰ and the representatives of Indonesia, Japan and Thailand.

In his briefing, the Chairman reported on the Committee's work during the past three months and explained how the Committee had shifted its focus from comprehensive reporting by States on their implementation to active dialogue with States. This was done by encouraging Member States to meet with the Committee and by conducting country visits during which there was an intensive dialogue on, *inter alia*, the quality of the Consolidated List, human rights questions related to the List including the due process standards applied by the Committee, the need for technical assistance or the possibility of providing technical assistance. He reported that the Monitoring Team had assisted the Committee in the monitoring of the implementation of sanctions measures by States and submitted a large number of technical corrections to the List, most of which the Committee had widely approved.

The Chairman identified the following tasks as priorities on the future agenda of the Committee: encouraging Member States to be proactive in proposing names for inclusion on the List, and further improving the quality of the List; monitoring sanctions enforcement activities by States, with the assistance of the Monitoring Team and with a view to detecting possible problems and suggesting actions to remedy those problems; and considering how to improve delisting procedures and exceptions pursuant to resolution 1452 (2002). He announced that the Committee would further intensify its dialogue with Member States, including through regular briefings to delegations and further country visits, and further increase cooperation with the Counter-Terrorism Committee and its Executive Directorate, the Committee established pursuant to resolution 1540

¹⁴⁴ *Ibid.*, p. 22 (Liechtenstein); and pp. 24-25 (Switzerland).

¹⁴⁵ *Ibid.*, pp. 24-25.

¹⁴⁶ S/PV.5059, pp. 11-12.

¹⁴⁷ *Ibid.*, pp. 24-25.

¹⁴⁸ *Ibid.*, pp. 21-22.

¹⁴⁹ S/PRST/2004/37.

¹⁵⁰ The representative of Chile briefed the Council in his capacity as the Chairman of the Committee but did not make a statement in his national capacity.

(2004) and with all relevant international agencies and organizations.¹⁵¹

Speakers commended the outgoing Chairman for the achievements of the Committee under his leadership. The representative of France said that the Chairman had been able to identify the changing and more diffuse character of Al-Qaida, had improved cooperation with States through dialogue which had been stepped up, and strengthened the commitment of States in implementing sanctions.^{152,153}

Speakers generally agreed that priority should be given to improving the quality and credibility of the List, establishing clear delisting procedures, conducting on-site visits and dialogue with States, cooperating with the Counter-Terrorism Committee, the Committee established pursuant to resolution 1540 (2004) and other relevant bodies. The representative of Germany concurred with the view issued recently by the High-level Panel on Threats, Challenges and Change in its report¹⁵⁴ that current rules on listing and delisting fell far short of international legal standards and needed to be revised with a view to enhancing their transparency and their even-handed applicability.¹⁵⁵

Referring to States that had not fulfilled their reporting or implementation obligations, the representative of the United States reminded States that, when the Council invoked Chapter VII of the Charter in response to threats against international peace and security, there could be no satisfactory outcome other than complete compliance by Member States in implementing the measures authorized by the Security Council.¹⁵⁶

Decision of 18 January 2005 (5113th meeting): statement by the President

At its 5113th meeting, on 18 January 2005, the Council included in its agenda a letter dated 13 January 2005 from the Chairman of the Counter-Terrorism Committee to the President of the Council, transmitting

the work programme of the Committee for the period from 1 January to 31 March 2005.¹⁵⁷

The Council heard a briefing by the Chairman of the Committee, following which statements were made by most members of the Council¹⁵⁸ and the representatives of Kazakhstan, Liechtenstein, Luxembourg (on behalf of the European Union)¹⁵⁹ and Paraguay.

In his briefing, the Chairman reported on the Committee's activities during the past three months and introduced the work programme for the next three months. He said first that the Council in 2004 had created a new and more comprehensive agenda regarding counter-terrorism and that its focus on various aspects of counter-terrorism had created additional challenges for the Committee. The focus of the Committee had been to develop new ways and means for a more effective monitoring of the implementation of resolution 1373 (2001), the primary means of monitoring until then being the review of States' reports and maintenance of a regular dialogue with them. He said that, owing to a shortage of experts, the Committee was not able to maintain the same number of reviewed reports as in the previous three-month period, which he hoped to be resolved once the Counter-Terrorism Committee Executive Directorate became operational. With regard to developing new approaches to providing technical assistance to States, the Committee had initiated analytical work to assess the assistance needs of States.

The Chairman also reported that the Committee had completed its preparations for the first visits to Member States, had prepared for its fourth special meeting with international, regional and subregional organizations, and had broadened its interaction with other United Nations structures by participating together with the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights in a seminar on a draft resolution on counter-terrorism held in Paraguay

¹⁵¹ S/PV.5104, pp. 2-5.

¹⁵² *Ibid.*, pp. 6-7.

¹⁵³ For more information on the discussion of sanctions, see chap. XI, part III, sect. B, with regard to Article 41 (1) of the Charter.

¹⁵⁴ See A/59/565 and Corr.1.

¹⁵⁵ S/PV.5104, pp. 8-9.

¹⁵⁶ *Ibid.*, pp. 14-15.

¹⁵⁷ S/2005/22.

¹⁵⁸ The representative of the Russian Federation briefed the Council in his capacity as the Chairman of the Committee, but did not make a statement in his national capacity.

¹⁵⁹ Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

late in 2004. The holding of informal meetings among the Chairmen of all Security Council committees dealing with terrorism had contributed to a greater agreement on the implementation of a single, comprehensive strategy of the Council in the fight against terrorism. Implementing the visits to Member States and holding the fourth special meeting with international, regional and subregional organizations in Almaty were the issues of priority in the work of the Committee during the coming three months. He made it clear that the goals set out in the new work programme could only be achieved if the Executive Directorate became fully operational in the shortest possible time.¹⁶⁰

Speakers supported the new work programme. At the same time, speakers were concerned about the growing number of countries not meeting their reporting obligations,¹⁶¹ the representative of Denmark seeing reports as “the backbone” of the Committee’s ability to monitor implementation. While stressing that the responsibility for implementation lay with States, he also called for the Committee to develop ways to assist countries to overcome problems.¹⁶² Speakers emphasized the role of the Committee in respect of assessing States’ assistance needs.¹⁶³ Other delegations also pointed out the significance of country visits to generate greater understanding.¹⁶⁴

Many speakers regarded it as essential to enhance cooperation with international and regional organizations¹⁶⁵ and to further strengthen the coordination among counter-terrorism bodies of the

Security Council.¹⁶⁶ The representative of the United States proposed, as concrete steps, to hold regular meetings among the experts assigned to support the Council’s terrorism-related bodies, to hold regular joint and open meetings of the Committee Chairmen for the wider United Nations membership and to draw up joint work programmes of the Counter-Terrorism Committee Executive Directorate and the Monitoring Team.¹⁶⁷ The representative of Romania encouraged the Council to envisage joint visits of the Committees.¹⁶⁸ According to the representative of Algeria, coordinating the schedule of visits deserved particular attention.¹⁶⁹

In the context of enhancing cooperation among United Nations bodies, several delegations supported the recommendations of the High-level Panel on Threats, Challenges and Change with regard to the role of the United Nations in developing a comprehensive and global strategy to fight terrorism.¹⁷⁰

At the end of the meeting, the President (Argentina) made a statement on behalf of the Council,¹⁷¹ by which the Council, *inter alia*:

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to peace and security;

Invited the Counter-Terrorism Committee to pursue its agenda as set out in the work programme for the fourteenth 90-day period;

Noted the importance of continuing the efforts of the Committee in the following key areas: to enhance the capabilities of Member States to combat terrorism, to identify and address the problems faced by States in implementing resolution 1373 (2001), to facilitate the provision of technical assistance and cooperation adjusted to the recipient countries’ needs, to encourage the largest possible number of States to become parties to the international conventions and protocols related to counter-terrorism, and to strengthen its dialogue and cooperation with international, regional and subregional

¹⁶⁰ S/PV.5113, pp. 2-5.

¹⁶¹ *Ibid.*, p. 5 (Denmark); p. 7 (United Kingdom); p. 9 (Philippines); p. 10 (France); p. 14 (Romania); and p. 15 (Algeria).

¹⁶² *Ibid.*, p. 5.

¹⁶³ *Ibid.*, p. 6 (China); p. 8 (United Republic of Tanzania); pp. 10-11 (France); p. 13 (Brazil); p. 15 (Algeria); and p. 17 (Greece).

¹⁶⁴ *Ibid.*, p. 7 (United Kingdom); p. 8 (United Republic of Tanzania); p. 9 (Philippines); p. 10 (France); p. 13 (Brazil, Romania); p. 15 (Benin); p. 16 (Algeria); p. 17 (Greece); p. 19 (Argentina); p. 20 (Luxembourg, on behalf of the European Union); and p. 21 (Kazakhstan).

¹⁶⁵ *Ibid.*, pp. 5-6 (Denmark); p. 6 (China); p. 7 (United Kingdom); p. 10 (Philippines); p. 12 (United States); pp. 12-13 (Brazil); p. 15 (Algeria); p. 17 (Greece, Japan); p. 19 (Argentina); and p. 20 (Luxembourg, on behalf of the European Union); and p. 21 (Kazakhstan).

¹⁶⁶ *Ibid.*, p. 6 (China); p. 10 (Philippines, France); pp. 11-12 (United States); pp. 12-13 (Brazil); p. 14 (Romania); p. 16 (Algeria); p. 18 (Japan); and p. 19 (Argentina).

¹⁶⁷ *Ibid.*, pp. 11-12.

¹⁶⁸ *Ibid.*, p. 14.

¹⁶⁹ *Ibid.*, p. 16.

¹⁷⁰ *Ibid.*, p. 5 (Denmark); p. 7 (United Kingdom); p. 11 (France); pp. 12-13 (Brazil); pp. 13-14 (Romania); pp. 19-20 (Luxembourg, on behalf of the European Union); and pp. 22-23 (Liechtenstein).

¹⁷¹ S/PRST/2005/3.

organizations acting in the areas outlined in resolution 1373 (2001);

Noted that, as of 16 December 2004, 75 States had not submitted their respective reports to the Committee in time, and called upon them to do so.

**Decision of 7 July 2005 (5223rd meeting):
resolution 1611 (2005)**

At the 5223rd meeting, on 7 July 2005, the President (Greece) drew the attention of the Council to a draft resolution;¹⁷² it was put to the vote and adopted unanimously and without debate as resolution 1611 (2005), by which the Council, inter alia:

Condemned without reservation the terrorist attacks in London on 7 July 2005;

Expressed its deepest sympathy and condolences to the victims of those terrorist attacks and their families, and to the people and Government of the United Kingdom;

Urged all States to cooperate actively in efforts to find and bring to justice the perpetrators, organizers and sponsors of those barbaric acts;

Expressed its utmost determination to combat terrorism in accordance with its responsibilities under the Charter of the United Nations.

**Decision of 8 July 2005 (5224th meeting):
statement by the President**

At the 5224th meeting, on 8 July 2005, the President (Greece) drew the attention of the Council to a letter dated 7 July 2005 from the representative of Egypt to the President of the Council, in which he reported that the recently appointed Head of the Egyptian Mission to Iraq had been killed on 7 July 2005, four days after his kidnapping in Baghdad by a group of terrorists who had claimed responsibility for that act.¹⁷³ The President then made a statement on behalf of the Council,¹⁷⁴ by which the Council, inter alia:

Condemned in the strongest possible terms the assassination of the Head of the Egyptian Mission to Iraq and expressed its condolences to the family of the victim and to the Government and people of Egypt;

Also condemned all terrorist attacks in Iraq, including the attempted assassinations of diplomats from Bahrain and Pakistan and attacks against other civilian personnel;

Emphasized that there could be no justification for such terrorist acts and underlined the need to bring to justice the perpetrators;

Reaffirmed its unwavering support for the Iraqi people in their political transition;

Recognized the important role of Egypt and other neighbouring countries in supporting the political process, helping to control transit across Iraq's borders, and extending other support to the Iraqi people.

**Decision of 27 July 2005 (5239th meeting):
statement by the President**

At the 5239th meeting, on 27 July 2005, the President (Greece) made a statement on behalf of the Council,¹⁷⁵ by which the Council, inter alia:

Unequivocally condemned the terrorist attacks that had taken place in Sharm el-Sheikh, Egypt, on 23 July 2005, underlined the need to bring those responsible to justice and urged all States to cooperate actively with the Egyptian authorities in this regard;

Reiterated its determination to combat all forms of terrorism in accordance with its responsibilities under the Charter.

**Decision of 27 July 2005 (5240th meeting):
statement by the President**

At the 5240th meeting, on 27 July 2005, the President (Greece) made a statement on behalf of the Council,¹⁷⁶ by which the Council, inter alia:

Condemned in the strongest possible terms the assassination, on 27 July 2005, of the two Algerian diplomats accredited to the Algerian Embassy to Iraq, and expressed its condolences to the families of the victims and to the Government and people of Algeria;

Emphasized that there could be no justification for such terrorist acts and underlined the need to bring to justice the perpetrators;

Reaffirmed its unwavering support for the Iraqi people in their political transition, as outlined in resolution 1546 (2004); and also reaffirmed the independence, sovereignty, unity and territorial integrity of Iraq and called upon the international community to stand by the Iraqi people in their pursuit of peace, stability and democracy.

**Decision of 29 July 2005 (5244th meeting):
resolution 1617 (2005)**

¹⁷² S/2005/437.

¹⁷³ S/2005/438.

¹⁷⁴ S/PRST/2005/29.

¹⁷⁵ S/PRST/2005/36.

¹⁷⁶ S/PRST/2005/37.

At the 5244th meeting, on 29 July 2005, the President (Greece) drew the attention of the Council to a draft resolution;¹⁷⁷ it was put to the vote and adopted unanimously and without debate as resolution 1617 (2005), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided that all States should take the measures as previously imposed with respect to Al-Qaida, Osama bin Laden and the Taliban and other individuals, groups, undertakings and entities associated with them, namely, (a) freeze without delay the funds and other financial assets or economic resources of those individuals; (b) prevent the entry into or the transit through their territories of those individuals; (c) prevent the direct or indirect supply, sale or transfer, to those individuals, groups, undertakings and entities of arms and related materiel of all types;

Also decided that acts or activities indicating that an individual, group, undertaking or entity was "associated with" Al-Qaida, Osama bin Laden or the Taliban included participating in the supplying, selling or transferring of arms to, recruiting for, or otherwise supporting acts or activities of Al-Qaida, Osama bin Laden or the Taliban;

Decided that, when proposing names for the Consolidated List, States should act in accordance with paragraph 17 of resolution 1526 (2004);

Decided that the statement of case submitted by the designating State might be used by the Committee in responding to queries from Member States whose nationals, residents or entities had been included on the Consolidated List; decided also that the Committee might decide on a case-by-case basis to release the information to other parties, with the prior consent of the designating State; decided further that States might continue to provide additional information which should be kept on a confidential basis within the Committee;

Decided, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the New York-based Monitoring Team for a period of 17 months, under the direction of the Committee, with the responsibilities outlined in annex I to the resolution;

Requested the Secretary-General, upon adoption of the resolution and acting in close consultation with the Committee, to appoint, consistent with United Nations rules and procedures, no more than eight members, including a coordinator, to the Monitoring Team;

Decided to review the measures described above with a view to their possible further strengthening in 17 months, or sooner if necessary.

¹⁷⁷ S/2005/495.

Decision of 4 August 2005 (5246th meeting): resolution 1618 (2005)

At the 5246th meeting, on 4 August 2005, the President (Japan) drew the attention of the Council to a draft resolution.¹⁷⁸ Statements were made by several Council members¹⁷⁹ as well as by the representative of Iraq.

The draft resolution was put to the vote and adopted unanimously as resolution 1618 (2005), by which the Council, *inter alia*:

Condemned in the strongest terms the terrorist attacks that had taken place in Iraq, and regarded any act of terrorism as a threat to peace and security;

Took note in particular of the attacks in recent weeks which had resulted in over one hundred deaths;

Noted with great concern that attacks on foreign diplomats in Iraq had increased in number and had resulted in the murder or kidnapping of such diplomats;

Expressed its deepest sympathy and condolences to the victims of those terrorist attacks and their families;

Affirmed that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition currently taking place; urged Member States to prevent the transit of terrorists to and from Iraq, arms for terrorists, and financing that would support terrorists; and re-emphasized the importance of strengthening the cooperation of the countries in the region;

Urged all States to cooperate actively in efforts to find and bring to justice the perpetrators of those acts;

Expressed its utmost determination to combat terrorism, in accordance with its responsibilities under the Charter;

Called upon the international community to support fully the Government of Iraq in exercising its responsibilities to provide protection to the diplomatic community, United Nations staff and other foreign civilian personnel working in Iraq.

Speakers strongly condemned the series of attacks that had taken place in Iraq. They referred to the crucial period ahead in the transition of Iraq for which the completion of a draft constitution was seen as a milestone. Speakers concurred that a draft had to be finalized by way of an inclusive process and should reflect consensus among all segments of the Iraqi population.

¹⁷⁸ S/2005/494.

¹⁷⁹ The representatives of Benin, Denmark, Greece, the Philippines and the United Republic of Tanzania did not make statements.

The representative of the United States saw the importance of resolution 1618 (2005) in, inter alia, its illustration of the similarity of terrorist threats in Iraq to those in many other parts of the world and the importance it attached to cooperation among all Member States to halt the flow of terrorists, weapons and terrorist financing to Iraq.¹⁸⁰ The representative of Algeria stated that combating terrorism in Iraq must go hand in hand with heightened efforts to conclude the political process and to ensure a transition that would enable Iraq to “regain its full sovereignty”.¹⁸¹

Some speakers emphasized the special role that the neighbouring countries, the Syrian Arab Republic and the Islamic Republic of Iran, played: the representative of the United States called on those countries to adhere to the relevant Council resolutions and to implement their pledges of support to the stability in Iraq. The representative of the United Kingdom held that they could and should do more.¹⁸²

The representative of Iraq stated that while terrorism had emerged as one of the greatest challenges to international peace and security, nowhere was it as virulent and persistent as in Iraq currently. He called for efforts to agree on a comprehensive definition of terrorism and for greater allocation of resources to study and analyse terrorism, particularly the phenomenon of suicide bombers.¹⁸³

**Decision of 4 October 2005 (5274th meeting):
statement by the President**

At the 5274th meeting, on 4 October 2005, the representative of Indonesia was invited to participate. He expressed his Government’s determination to continue to cooperate with other countries to develop a comprehensive response to terrorism.¹⁸⁴ The President (Romania) made a statement on behalf of the Council,¹⁸⁵ by which the Council, inter alia:

Condemned in the strongest terms the terrorist bombings that had taken place on 1 October 2005 in Bali, Indonesia, which had again fallen victim to a heinous act of terrorism;

Underlined the need to bring the perpetrators, organizers, financiers and sponsors of those intolerable acts to justice, and

urged all States to cooperate with and provide support and assistance, as appropriate, to the Government of Indonesia in this regard;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Further reaffirmed the need to combat by all means threats to international peace and security caused by terrorist acts.

**Decision of 31 October 2005 (5298th meeting):
statement by the President**

At the 5298th meeting, on 31 October 2005, the President (Romania) made a statement on behalf of the Council,¹⁸⁶ by which the Council, inter alia:

Strongly condemned the series of bomb attacks that had occurred in New Delhi, India on 29 October 2005, causing numerous deaths and injuries, and expressed its deepest condolences to the victims of those heinous acts of terrorism and their families, and to the people and the Government of India;

Stressed the importance of bringing the perpetrators, organizers, financiers and sponsors of those reprehensible acts of violence to justice, and urged all States to cooperate actively with the Indian authorities in this regard;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

**Decision of 10 November 2005 (5303rd meeting):
statement by the President**

At the 5303rd meeting, on 10 November 2005, the representative of Jordan was invited to participate. He reaffirmed his country’s commitment to cooperating with the Council and to stepping up its efforts to combat terrorism, in accordance with the Charter and resolutions 1373 (2001) and 1624 (2005).¹⁸⁷ The President (Russian Federation) made a statement on behalf of the Council,¹⁸⁸ by which the Council, inter alia:

¹⁸⁶ S/PRST/2005/53.

¹⁸⁷ S/PV.5303, p. 2.

¹⁸⁸ S/PRST/2005/55.

¹⁸⁰ S/PV.5246, pp. 2-3.

¹⁸¹ Ibid., p. 3.

¹⁸² Ibid., p. 3 (United States); and p. 4 (United Kingdom).

¹⁸³ Ibid., pp. 6-8.

¹⁸⁴ S/PV.5274, pp. 2-3.

¹⁸⁵ S/PRST/2005/45.

Condemned in the strongest terms the terrorist bombings that had taken place in Amman on 9 November 2005;

Expressed its deepest sympathy and condolences to the victims of those attacks and their families, and to the people and the Government of Jordan;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and the need to combat such threats by all means;

Reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

**Decision of 21 December 2005 (5338th meeting):
statement by the President**

At the 5338th meeting, on 21 December 2005, the President (United Kingdom) drew the attention of the Council to a letter dated 15 December 2005 from the Chairman of the Counter-Terrorism Committee to the President of the Council.¹⁸⁹ He then made a statement on behalf of the Council,¹⁹⁰ by which the Council, inter alia:

Welcomed the fact that the Counter-Terrorism Committee, in consultation with the Secretary-General, had decided to declare the Counter-Terrorism Committee Executive Directorate operational on 15 December 2005;

Recalled that mandate of the Directorate flowed from that of the Committee and reaffirmed that the Committee had the sole responsibility for providing policy guidance to the Directorate;

Agreed with the Secretary-General and with the Committee that there was a need to clarify the Directorate's reporting lines, within the framework of resolution 1535 (2004), and welcomed the Secretary-General's initiative in this regard;

Welcomed the integration into the work of the Counter-Terrorism Committee of the issue of implementation by Member States of resolution 1624 (2005).

**Decision of 25 April 2006 (5424th meeting):
statement by the President**

At the 5424th meeting, on 25 April 2006, the representative of Egypt was invited to participate. The

President (China) made a statement on behalf of the Council,¹⁹¹ by which the Council, inter alia:

Condemned in the strongest terms the terrorist bombings that had taken place in Dahab, Egypt, on 24 April 2006;

Underlined the need to bring the perpetrators, organizers, financiers and sponsors of those intolerable acts to justice, and urged all States to cooperate with and provide support and assistance, as appropriate, to the Government of Egypt in this regard;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Further reaffirmed the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts.

Deliberations of 30 May 2006 (5446th meeting)

At the 5446th meeting, on 30 May 2006, for the first time, the Council heard joint briefings by the Chairs of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004). Statements were made by most members of the Council¹⁹² and the representatives of Austria (on behalf of the European Union and associated countries), Cuba, the Islamic Republic of Iran, Israel, Liechtenstein, Switzerland, the Syrian Arab Republic, Ukraine (on behalf also of Azerbaijan, Georgia and the Republic of Moldova) and Venezuela (Bolivarian Republic of).

The Chair of the Committee established pursuant to resolution 1267 (1999) reported on the work of the Committee during the past three months and named the improvement of the quality of the List as one of the Committee's priorities. He reported about his visits to Qatar, Yemen and Saudi Arabia pursuant to resolution 1617 (2005) and the Monitoring Team's visits to Africa, Asia and Europe to discuss issues related to the effective implementation of the sanctions regime. He renewed the invitation to States to send representatives to a Committee meeting to be informed about problems

¹⁸⁹ S/2005/800, transmitting the report of the Counter-Terrorism Committee for consideration by the Council as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate.

¹⁹⁰ S/PRST/2005/64.

¹⁹¹ S/PRST/2006/18.

¹⁹² The representatives of Argentina and Slovakia briefed the Council in their capacity as the Chairs of the Committees established pursuant to resolutions 1267 (1999) and 1540 (2004), respectively, but did not make statements in their capacity as national representatives.

that States might experience when dealing with the implementation of sanctions, and reported that a group of States had already taken this opportunity. He also elaborated on two notes verbales the Committee had sent to States with an aim to improving their implementation efforts and which provided clarifications regarding the exceptions provided for in the asset freeze and the delisting procedure for deceased individuals. He stated that the Monitoring Team continued to provide professional assistance to the Committee, by presenting proposals for further improving the List and strengthening its links with relevant international and regional organizations and other United Nations bodies, including coordination of its travel plans with the Counter-Terrorism Committee Executive Directorate. As to future work, he announced that the Committee would, *inter alia*, revise its procedures for the listing and delisting of names and continue to discuss how to enhance cooperation with the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004).¹⁹³

The Chair of the Counter-Terrorism Committee briefed the Council on the Committee's activities since February 2006 and presented the work programme for the three-month period ending 30 June 2006. Referring to States' concerns about extensive reporting requests, she stated that the Committee continued to discuss how to enhance cooperation with the other two Committees with regard to revising the reporting regime. She emphasized that the reports were the solid foundation of and indispensable for the Committee's work in advising and assisting States in their implementation of resolution 1373 (2001). She reported on an analytical tool currently being tested that would monitor the extent to which States had implemented their obligations, stating that it was also created to ease their reporting burdens. Country visits continued to be an important part of enhancing dialogue with Member States, and the Committee had strengthened its relationship with several African regional and subregional organizations, the Caribbean Community and the Pacific Islands Forum. Referring to the concerted efforts of the Pacific Islands Forum and donors to ensure that its members reported to the Committee on time, she said she considered this type of regional cooperation to be very

fruitful and hoped that other regions could be inspired by such cooperation.¹⁹⁴

The Chair of the Committee established pursuant to resolution 1540 (2004) noted the need for a lasting effort by the Council to monitor and support the efforts of States to fully implement the resolution and stated that the Council had extended the Committee's mandate for two years until 27 April 2008. The Committee would focus on facilitation of reporting and conduct of outreach activities to promote States' reporting and implementation of resolution 1540 (2004). He announced that the Committee, through its experts, would continue to act as a clearing house for assistance, including by collecting up-to-date information on the issue. He also announced that, in order to contribute to capacity-building, the Committee would invite States offering assistance and States requesting assistance to take a proactive approach on a bilateral basis, including making use of offers by international organizations.¹⁹⁵

Representatives, in view of the gravity of the threat that terrorism was posing, called for the adoption of a global and comprehensive counter-terrorism strategy such as recently proposed by the Secretary-General. They welcomed the work that the Committees had carried out so far and supported the future priorities outlined by the Chairs.

Regarding the work of the Committee concerning Al-Qaida and the Taliban, speakers welcomed its visits as productive and encouraging but strongly reiterated the need to address the issue of procedural fairness in listing and delisting persons or entities. Speakers in general called for ensuring legality and transparency in the listing and delisting process. On due process guarantees and the issue of delisting, the representative of Denmark reminded the Council of her proposal made previously to establish an independent review mechanism in the form of an ombudsman to which individuals and entities on that Committee's List would have direct access and which would make independent recommendations to the Committee for its consideration.¹⁹⁶ The representative of France proposed setting up a focal point within the Secretariat which would directly receive requests for delisting or exemption from listed individuals. He considered that the setting up of a single focal point for the various

¹⁹³ S/PV.5446, pp. 2-5.

¹⁹⁴ *Ibid.*, pp. 5-7.

¹⁹⁵ *Ibid.*, pp. 8-10.

¹⁹⁶ S/PV.5446, p. 8.

sanctions committees would make the procedures “more accessible, clearer and more standardized”.¹⁹⁷

The representative of Qatar stated that there was a need to move from comprehensive sanctions to targeted sanctions¹⁹⁸ and that these were not only a political but also a legal tool for which the Council must take human rights into consideration.¹⁹⁹ The representative of Switzerland presented the main findings and recommendations of a report that his Government together with Germany and Sweden had commissioned on strengthening the implementation of targeted sanctions by addressing concerns of due process.²⁰⁰ That report concluded, *inter alia*, that, despite many improvements in sanctions measures over time, shortcomings remained with regard to listing, delisting, notification of individuals and entities and especially the right to an effective remedy and that those shortcomings might violate basic principles of human rights protection. The representative of Switzerland proposed addressing those issues step by step, starting with the most urgent issues. Those included the development of standards for statements of case, a periodic review of listings and the designation of a focal point to deal with all delisting and exemption requests as well as to notify targets of listing.²⁰¹

Regarding the work of the Committee established pursuant to resolution 1540 (2004), speakers welcomed the extension of its mandate and the outreach activities it had been planning. They saw a need to strengthen the monitoring system on the proliferation of weapons of mass destruction.

Referring to the work of the Counter-Terrorism Committee, delegations welcomed the new preliminary assessment tool and expressed their appreciation for the fact that the Committee had started to shift its focus from reporting by States on their implementation to active dialogue with States.

Most speakers called for continuing to strengthen cooperation among the three Committees since this would, as the representative of Ghana pointed out,

¹⁹⁷ *Ibid.*, p. 22.

¹⁹⁸ For more information on the discussion of targeted sanctions, see chap. XI, part III, sect. B, with regard to Article 41 (1) of the Charter.

¹⁹⁹ S/PV.5446, pp. 13-14.

²⁰⁰ See A/60/887-S/2006/331.

²⁰¹ S/PV.5446, pp. 27-29.

enhance the international community’s effort to address “the ever-evolving nature of terrorism”.²⁰² The representative of Japan proposed consolidating visits of the committees. He said that rationalizing visits would not only ease the burden on the States visited but would also create an enhanced cooperative relationship between the Committees and those States.²⁰³ The representative of the United States said that the Committees should speak with one voice to succeed in counter-terrorism efforts, and to do so, the Counter-Terrorism Committee Executive Directorate and the Monitoring Team must conduct more joint visits or at least coordinate their visits and share information obtained on the visits and coordinate the follow-up.²⁰⁴

Among the delegations that elaborated on being directly affected by terrorist acts, the representatives of Cuba and Venezuela (Bolivarian Republic of) accused the United States of supporting impunity for terrorist acts by providing a safe haven to persons accused in their respective countries of having committed terrorist acts.²⁰⁵ The representative of Israel accused the Islamic Republic of Iran and the Syrian Arab Republic of providing finance and a safe haven to organizations that committed terrorist activities in Israel.²⁰⁶ On the other hand, the representatives of the Islamic Republic of Iran and the Syrian Arab Republic stated that the Arab region was suffering from terrorism in general and from “State terrorism” by Israel.²⁰⁷

**Decision of 29 June 2006 (5477th meeting):
statement by the President**

At the 5477th meeting, on 29 June 2006, the President (Denmark) made a statement on behalf of the Council,²⁰⁸ by which the Council, *inter alia*:

[Stated that it] was appalled by the horrific death of members of the Russian diplomatic mission in Iraq;

Condemned in the strongest possible terms that crime committed by the terrorists and conveyed its deepest sympathy and condolences to the families of the deceased, and the people and the Government of the Russian Federation;

²⁰² *Ibid.*, pp. 16-17.

²⁰³ *Ibid.*, p. 15.

²⁰⁴ *Ibid.*, p. 19.

²⁰⁵ *Ibid.*, pp. 29-30 (Cuba); and pp. 34-35 (Venezuela, Bolivarian Republic of).

²⁰⁶ *Ibid.*, pp. 31-33.

²⁰⁷ *Ibid.*, p. 36 (Syrian Arab Republic); and p. 38 (Islamic Republic of Iran).

²⁰⁸ S/PRST/2006/29.

Confirmed that no cause could justify such acts of terror as that crime and previous attacks on foreign diplomats committed by the terrorists, and reaffirmed its utmost determination to combat terrorism;

Urged all States to cooperate actively in efforts to find and bring to justice the perpetrators, organizers and sponsors of those barbaric acts;

Called upon the international community to support the Government of Iraq in exercising its responsibility to provide protection to the diplomatic community in Iraq;

Underlined the importance of continuing the efforts of the Government of Iraq and the multinational force in combating terrorism and improving security in Iraq;

Commended the Government of Iraq for initiating the Reconciliation and National Dialogue Plan;

Reaffirmed the independence, sovereignty, unity and territorial integrity of Iraq.

**Decision of 12 July 2006 (5484th meeting):
statement by the President**

At the 5484th meeting, on 12 July 2006, the representative of India was invited to participate. The President (France) made a statement on behalf of the Council,²⁰⁹ by which the Council, *inter alia*:

Condemned in the strongest terms the series of bomb attacks that had occurred in different parts of India, including Mumbai, on 11 July 2006, causing numerous deaths and injuries, and expressed its deepest sympathy and condolences to the victims of those heinous acts of terrorism and their families, and to the people and the Government of India;

Underlined the need to bring the perpetrators, organizers, financiers and sponsors of those reprehensible acts of terrorism to justice, and urged all States to cooperate actively with the Indian authorities in this regard;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

**Decision of 20 December 2006 (5600th meeting):
statement by the President**

At the 5600th meeting, on 20 December 2006, the President (Qatar) drew the attention of the Council to a letter dated 18 December 2006 from the Chairman of

²⁰⁹ S/PRST/2006/30.

the Counter-Terrorism Committee.²¹⁰ He then made a statement on behalf of the Council,²¹¹ by which the Council, *inter alia*:

Reaffirmed that terrorism constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable;

Reiterated its call upon States to become parties to all relevant international conventions and protocols relating to terrorism, and to make full use of the sources of assistance and guidance which were available;

Reminded States that they must ensure that any measures taken to combat terrorism complied with all their obligations under international law, in particular international human rights, refugee and humanitarian law;

Called upon the relevant United Nations departments, programmes and specialized agencies to consider how to pursue counter-terrorism objectives;

Encouraged the Counter-Terrorism Committee to report to the Council on any outstanding issues;

Stressed that the mandate of the Counter-Terrorism Committee Executive Directorate flowed from that of the Committee;

Endorsed the recommendation of the Committee with regard to the Directorate's reporting lines so that the Directorate would thenceforth present its draft work programmes and its semi-annual reports directly to the Committee.

**Decision of 22 December 2006 (5609th meeting):
resolution 1735 (2006)**

At the 5609th meeting, on 22 December 2006, at which the representative of Qatar made a statement, the President (Qatar) drew the attention of the Council to a draft resolution submitted by Argentina, Denmark, France, Greece, Japan, Peru, the Russian Federation, Slovakia, the United Kingdom, the United Republic of Tanzania and the United States.²¹² The draft resolution was then put to the vote and adopted unanimously as resolution 1735 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided that all States should take the measures previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), with respect to

²¹⁰ S/2006/989, transmitting the report of the Counter-Terrorism Committee for consideration by the Council as part of its comprehensive review of the Counter-Terrorism Committee Executive Directorate.

²¹¹ S/PRST/2006/56.

²¹² S/2006/1013.

Al-Qaida, Osama bin Laden and the Taliban and other individuals, groups, undertakings and entities associated with them;

Decided that, when proposing names to the Committee established pursuant to resolution 1267 (1999) for inclusion on the Consolidated List, States should act in accordance with paragraph 17 of resolution 1526 (2004) and paragraph 4 of resolution 1617 (2005) and provide a statement of case; the statement of case should provide as much detail as possible on the basis(es) for the listing;

Decided that the Committee should continue to develop, adopt and apply guidelines regarding the delisting of individuals and entities on the Consolidated List;

Decided to extend the period for consideration by the Committee of notifications submitted pursuant to paragraph 1 (a) of resolution 1452 (2002) from 48 hours to three working days;

Decided, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the current New York-based Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of 18 months.

The representative of Qatar expressed concern about the appointment of the members of the Monitoring Team, stating that in this respect the resolution went beyond the established United Nations rules of procedure and beyond the authority and mandate of the sanctions committees. He stressed that it disregarded methods of dialogue, consultation and cooperation that should govern the selection of the members. He said that certain elements enjoying a preponderant role in the Team did not display the required degree of professionalism and transparency and that some of the Team's methods harmed the interests of certain States or religions. He concluded that the resolution should not serve as a precedent for appointing experts to monitoring teams created by sanctions committees.²¹³

**Decision of 12 April 2007 (5659th meeting):
statement by the President**

At the 5659th meeting, on 12 April 2007, the representative of Algeria was invited to participate. The President (United Kingdom) made a statement on behalf of the Council,²¹⁴ by which the Council, inter alia:

Condemned in the strongest terms the two suicide attacks that had occurred in Algiers on 11 April 2007, causing numerous deaths and injuries, and expressed its deep sympathy and

²¹³ S/PV.5609, p. 2.

²¹⁴ S/PRST/2007/10.

condolences to the victims of those heinous acts of terrorism and their families, and to the people and the Government of Algeria;

Underlined the need to bring the perpetrators, organizers, financiers and sponsors of those reprehensible acts of terrorism to justice, and urged all States to cooperate actively with the Algerian authorities in this regard;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

**Decision of 13 April 2007 (5662nd meeting):
statement by the President**

At the 5662nd meeting, on 13 April 2007, the President (United Kingdom) made a statement on behalf of the Council,²¹⁵ by which the Council, inter alia:

Condemned in the strongest terms the terrorist attack in Iraq that had targeted the democratically elected Council of Representatives; and expressed its deep sympathy and condolences to the victims of that heinous act of terrorism and their families, and to the people and the Government of Iraq;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Strongly supported efforts to promote national dialogue, reconciliation and broad political participation in ensuring unity, peace, security and stability in Iraq;

Reaffirmed its continued support for the Iraqi people and Government as they rebuilt their country and strengthened the foundations of sustainable peace, constitutional democracy and social and economic progress.

**Decision of 9 July 2007 (5714th meeting):
statement by the President**

At the 5714th meeting, on 9 July 2007, the representatives of Spain and Yemen were invited to participate. The President (China) made a statement on behalf of the Council,²¹⁶ by which the Council, inter alia:

Unequivocally condemned the terrorist attack that had taken place in Marib, Yemen, on 2 July 2007; and expressed its

²¹⁵ S/PRST/2007/11.

²¹⁶ S/PRST/2007/26.

deepest sympathy and condolences to the victims of the attack and their families;

Underlined the need to bring the perpetrators to justice and urged all States to cooperate with and provide support and assistance to the Government of Yemen in this regard;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

**Decision of 7 September 2007 (5738th meeting):
statement by the President**

At the 5738th meeting, on 7 September 2007, the representative of Algeria was invited to participate. The President (France) made a statement on behalf of the Council,²¹⁷ by which the Council, inter alia:

Condemned in the strongest terms the terrorist attack that had occurred in Batna, Algeria, on 6 September 2007, causing numerous deaths and injuries;

Underlined the need to bring perpetrators, organizers, financiers and sponsors of that reprehensible act of terrorism to justice;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

**Decision of 5 October 2007 (5754th meeting):
statement by the President**

At the 5754th meeting, on 5 October 2007, the representative of Poland was invited to participate. The President (Ghana) made a statement on behalf of the Council,²¹⁸ by which the Council, inter alia:

Condemned the attack in Baghdad against the Ambassador of Poland to Iraq on 3 October 2007, which had resulted in the wounding of the Ambassador, the killing of one member of his personal security detachment team and injuries to two others;

Expressed its deepest sympathy and condolences to the victims of the attack and to their families, and to the Government of the Republic of Poland;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Further reaffirmed the need to combat by all means threats to international peace and security caused by terrorist acts.

**Decision of 22 October 2007 (5764th meeting):
statement by the President**

At the 5764th meeting, on 22 October 2007, the representative of Pakistan was invited to participate. The President (Ghana) made a statement on behalf of the Council,²¹⁹ by which the Council, inter alia:

Condemned in the strongest terms the bomb attacks that had occurred in Karachi, Pakistan, on 18 October 2007, causing numerous deaths and injuries, and expressed its deep sympathy and condolences to the victims of that heinous act of terrorism and their families, and to the people and the Government of Pakistan;

Underlined the need to bring perpetrators, organizers, financiers and sponsors of that reprehensible act of terrorism to justice;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Further reaffirmed the need to combat by all means threats to international peace and security caused by terrorist acts; and reminded States that they must ensure that any measures taken to combat terrorism complied with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

**Decision of 10 December 2007 (5795th meeting):
resolution 1787 (2007)**

At the 5795th meeting, on 10 December 2007, at which statements were made by the representatives of Panama and Qatar, the President (Italy) drew the attention of the Council to a draft resolution submitted by Belgium, the Democratic Republic of the Congo, France, Italy, Panama, the Russian Federation, Slovakia, the United Kingdom and the United States.²²⁰ The draft resolution was put to the vote and adopted unanimously as resolution 1787 (2007), by which the Council, inter alia:

²¹⁷ S/PRST/2007/32.

²¹⁸ S/PRST/2007/36.

²¹⁹ S/PRST/2007/39.

²²⁰ S/2007/718.

Decided to extend the initial period referred to in paragraph 2 of resolution 1535 (2004) until 31 March 2008;

Requested the Executive Director of the Counter-Terrorism Committee Executive Directorate, within 60 days of the adoption of the resolution and in consultation with members of the Council, to recommend such changes as he deemed appropriate to the organizational plan referred to in paragraph 4 of resolution 1535 (2004), and to submit them to the Counter-Terrorism Committee for its consideration and endorsement prior to the expiration of the period referred to above.

The representative of Panama said that the decision to postpone the review of the mandate of the Counter-Terrorism Committee Executive Directorate was justified because of the recent appointment of the new Executive Director.²²¹

The representative of Qatar was of the opinion that the Council did not work with a clear definition of terrorism and failed to deal with its root causes. He therefore reiterated his call to the Council and its relevant committees to work to find a clear definition of this phenomenon and its root causes. Furthermore, he stressed the need to seriously consider the future of the Executive Directorate and the possibility of annexing it to the Counter-Terrorism Implementation Task Force since he saw a lack of accuracy and balance in the evaluation by the Counter-Terrorism Committee and the Directorate of the efforts of Member States to implement resolution 1373 (2001) and an imbalance in the coordination of visits to countries of the South in comparison with countries of the North. He also saw a particular focus on the technical assistance provided by countries of the North and a lack of attention to the extent to which they were committed to the rules and norms of international law and human rights law and the implementation of resolution 1373 (2001).²²²

**Decision of 11 December 2007 (5798th meeting):
statement by the President**

At the 5798th meeting, on 11 December 2007, the representative of Algeria was invited to participate. The President (Italy) made a statement on behalf of the Council,²²³ by which the Council, inter alia:

Condemned in the strongest terms the terrorist attacks that had occurred in Algiers on 11 December 2007 near the Supreme Court and the United Nations offices, causing numerous deaths and injuries, and expressed its deep sympathy and condolences to the victims of that heinous act of terrorism and their families, and to the people and the Government of Algeria; expressed its deep sympathy and condolences to the United Nations staff, and their families, who were among the victims in one of those attacks, and to the Secretary-General;

Underlined the need to bring perpetrators, organizers, financiers and sponsors of that reprehensible act of terrorism to justice;

Reaffirmed that terrorism in all its forms and manifestations constituted one of the most serious threats to international peace and security, and that any acts of terrorism were criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed;

Reaffirmed the need to combat by all means threats to international peace and security caused by terrorist acts;

Reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.

**Decision of 27 December 2007 (5816th meeting):
statement by the President**

At the 5816th meeting, on 27 December 2007, the representative of Pakistan was invited to participate. The President (Italy) made a statement on behalf of the Council,²²⁴ by which the Council, inter alia:

Condemned in the strongest terms the terrorist suicide attack by extremists that had occurred in Rawalpindi, Pakistan, on 27 December 2007, causing the death of former Prime Minister Benazir Bhutto and numerous other casualties, and expressed its deep sympathy and condolences to the victims of that heinous act of terrorism and their families, and to the people and the Government of Pakistan;

Reaffirmed the need to combat by all means, in accordance with the Charter of United Nations, threats to international peace and security caused by terrorist acts; and reminded States that they must ensure that any measures taken to combat terrorism complied with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

²²¹ S/PV.5795, p. 2.

²²² Ibid., pp. 2-3.

²²³ S/PRST/2007/45.

²²⁴ S/PRST/2007/50.