

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

**Chair's Briefing to the Security Council
10 May 2013**

I. Introduction

1. The threat posed by Al-Qaida to international peace and security remains a pressing dimension of a number of issues on the Council's agenda, not only in its deliberations on international terrorism, but across country situations, including Somalia, Mali and Yemen.

2. Since the Committee's last report in November 2012, Al-Qaida affiliates in the Maghreb have waged a vicious insurgency in Mali, threatening the viability of that State and security in the region; Al-Qaida in the Arabian Peninsula continued to be a strong factor affecting the on-going security situation in Yemen; and Al Shabaab remained an ongoing threat to the security environment in Somalia.

3. In today's briefing I will focus on the principal areas of work of the Al-Qaida Sanctions Committee since the adoption of Security Council resolution 2083 (2012) in December last year:

- i. Effectively addressing the evolving threat to international peace and security posed by Al-Qaida and its affiliates, with a particular focus on the work of the Committee to address recent challenges posed Mali and the Sahel region by Al-Qaida in the Islamic Maghreb (QE.T.14.01.), the Mouvement pour l'Unification et le Jihad en Afrique de l'Ouest (MUJAO) (QE.M.134.12.) and the Ansar Eddine; (QE.A.135.13.)
- ii. Ensuring the regime's application remains relevant and effective; and,
- iii. Ensuring the sanctions regime has clear and effective procedures.

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

II. Effectively addressing the evolving threat to international peace and security posed by Al-Qaida and its affiliates

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

4. Since the last briefing by my predecessor in November 2012, the threat to international peace and security from Al-Qaida has continued to evolve as Al-Qaida affiliates have exploited local grievances to further Al-Qaida's global agenda. In accordance with its mandate under resolution 2083, the Committee has been working to ensure the regime remains relevant and effective in response to this evolving threat. In particular, since its last report to the Council, the Committee has sought to improve the application of 1267 sanctions to address the threat posed by Al-Qaida and its affiliates in Mali and the Sahel.

5. In resolutions 2100 (2013) and 2085 (2012) the Council reiterated its readiness to sanction further individuals, groups, undertakings and entities who do not cut off all ties to Al Qaida and associated groups. In response, the Committee has applied the sanctions to the Mouvement pour l'Unification et le Jihad en Afrique de l'Ouest (MUJAO) (QE.M.134.12.), and Ansar Eddine (QE.A.135.13.), entities closely linked to the Organisation of Al-Qaida in the Islamic Maghreb (QE.T.14.01.), as well as to the leaders of, and other individuals associated with, these groups. The Committee's efforts to ensure that the Al-Qaida Sanctions List reflects the nature of the threat posed by Al-Qaida and its affiliates in Mali and the Sahel is part of a sustained drive by the Committee to make full use of the tools available in the context of the Al-Qaida Sanctions Regime to counter the evolving threat.

6. To this end, as directed by the Council in paragraph 62 of resolution 2083, the Committee held a special meeting on 9 April 2013 to consider ways in which the 1267 regime could improve its response to the latest developments of Al-Qaida in the Sahel and Mali, including outreach and technical support activities to the region on the implementation and application of the sanctions measures. The meeting brought together the Monitoring Team, the UN Counter-Terrorism Committee Executive Directorate and Counter-Terrorism Implementation Task Force, and other relevant departments and offices of the United Nations. It highlighted the need for continued monitoring of the role of these groups in Mali and the Sahel, with a more central role for capacity-building efforts in the counter-terrorism realm.

7. In this regard, the Committee and the Monitoring Team look forward to constructive engagement and cooperation with the United Nations Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA) as requested by the Council in paragraph 31 of resolution 2100 (2013).

III. Ensuring the regime's application remains relevant and effective

8. The Committee is making every effort to ensure that the sanctions framework is as effective a tool as possible in preventing Al-Qaida and its affiliates from threatening international peace and security. Part of this effort requires the Al-Qaida Sanctions List to be as updated and accurate as possible, to facilitate the implementation of the sanctions measures.

9. The Committee assigns great importance to ensuring that individuals confirmed to be deceased are removed from the Al-Qaida Sanctions List, all the while ensuring that any assets forming part of the deceased's estate, if unfrozen, are not used in connection with activities threatening international peace and security. In that regard, the Committee de-listed Usama Bin Laden on 21 February 2013. In accordance with paragraph 32 of resolution 2083 (2012), the Committee will ensure that assets frozen as a result of Usama Bin Laden's listing will not be transferred to listed individuals or entities, or otherwise used for terrorist purposes in line with resolution 1373 (2001).

10. The Committee is pleased to inform the Security Council that it has begun to implement the special agreement it concluded with INTERPOL that facilitates the exchange of information between the Committee and INTERPOL and streamlines the maintenance of joint United Nations-INTERPOL Special Notices. This can be expected to improve the quality of information on the Al-Qaida Sanctions List and enhance the implementation of the sanctions measures via INTERPOL's special notice distribution system.

11. The Committee has also continued its periodic review of the Al-Qaida Sanctions list, focusing particular attention on entries that lack identifiers necessary to ensure effective implementation of the sanctions measures, entries of entities that are reported or confirmed to have ceased to exist, and entries that have not been reviewed in three or more years. The responsiveness of Member States remains crucial for the successful implementation of these reviews.

IV. Ensuring the sanctions regime has clear and effective procedures.

12. Through the adoption of resolution 2083 (2012), the Security Council has further enhanced the fairness of the Al-Qaida sanctions framework through the introduction of provisions giving individuals and entities on the Al-Qaida Sanctions List the possibility to submit requests for exemptions to the assets freeze and travel ban measures, through the Focal Point mechanism established in resolution 1730 (2006), for the consideration of the Al-Qaida Sanctions Committee (paragraph 37). The Council has also authorised the Ombudsperson to request that the Committee consider exemptions to the travel ban for the purpose of allowing petitioners to travel to another State to be interviewed by the Ombudsperson (paragraph 36). The Committee has implemented these changes into the Guidelines for the conduct of its work, setting forth clear procedures to be followed by listed individuals and entities wishing to avail themselves of these new provisions.

13. Furthermore, the Committee has implemented the provisions of paragraph 12 of resolution 2083 (2012), which reverse the assumption that a State proposing an individual or entity for listing wishes to have its status as a designating State kept confidential, by dispatching letters to all designating States on file to solicit their views as to whether the Committee or Ombudsperson may make their status as a designating State known.

14. The Office of the Ombudsperson continues to fulfil a key role in supporting the Committee's efforts to ensure that the application of Al-Qaida Sanctions continues to

reflect the current threat posed by Al-Qaida and its affiliates, and since the last briefing to the Council the Committee de-listed five individuals and retained two listings on the basis of reports submitted by the Ombudsperson. In addition, as of 9 May 2013, three Comprehensive Reports of the Ombudsperson were under consideration by the Committee, and the Ombudsperson had 1 case in the dialogue phase and 11 cases in the information gathering phase.

15. Since the last briefing to the Security Council, the Committee has also provided reasons to petitioners, both in cases where the Committee has acceded to or rejected de-listing requests, through the Ombudsperson. The provision of reasoned decisions to the Ombudsperson, for onward transmittal to the petitioner, is a significant indicator that fair and clear procedures exist within the Al-Qaida sanctions framework. The Committee will continue to pay heed to due process principles to ensure that the listing and de-listing process is imbued with fairness and transparency.

V. Concluding observations

16. The events of the last few months in Mali and the Sahel region have illustrated the continued threat to international peace and security posed by Al-Qaida and affiliated groups. The Al-Qaida Sanctions Committee's efforts to comprehensively address this issue included, for the first time, a special meeting held pursuant to paragraph 62 of resolution 2083 (2012). This is a valuable forum which the Committee will use, as appropriate, in other relevant contexts.

17. We should not forget, however, that the Al-Qaida sanctions regime can only be as effective as the sum of its parts, and a key element of this framework is the application of the measures. The Committee endeavours to keep this list as updated and accurate as possible through specialised reviews, and the success of these depends to a large part on Member State engagement. Therefore, I call on all Member States to continue their positive engagement with the Committee.

**** END OF ORAL BRIEFING ****

VI. *Activities of the Monitoring Team*

List Entries, Narrative Summaries, Reviews, Special thematic meetings

18. *Since the last Report, four new experts have joined the Monitoring Team (MT) and the Team submitted its 2013 programme of work for the 1988 Committee and Combined Travel Plan for the Al-Qaida and 1988 Committees (covering February 2013 to July 2013) to the Committee in the letter dated 21 February 2013. The Team continued its work with the Secretariat on a practical adaptation of the new format for the Al-Qaida Sanctions List which, if it were to be adopted by the other committees, would allow greater coherence among the Security Council sanctions regimes. One of the expected outcomes of the new format will be to facilitate implementation of the sanctions by end-users of the List.*

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

20. *In November 2012, as a further way to improve the List, the Committee conducted its third review of names of those entries that lack identifiers necessary to ensure effective implementation of the measures imposed on them (the first review was completed in December, 2011 and the second one in June, 2012) and as a result the Committee agreed on follow-up actions in order to obtain additional information from relevant States. In accordance with paragraph 39 of Resolution 2083 (2012), at the end of April, the Team provided the Committee with an updated table of the entries lacking sufficient identifiers. The Committee will consult with relevant Member States to consider the continued appropriateness of their listing.*

21. *In addition, the Team continues to submit information on those individuals on the List who it had reasons to believe might be dead. The Committee has been considering the names of deceased persons since November, 2010. The Team has recently provided the Committee with an updated list of reportedly deceased persons, which will allow the Committee to conduct another review of such entries. The Committee continues to consider the appropriateness of these listings.*

22. *In September 2012 the Committee also discussed, at its second review of this kind, the Team's updated list of entities confirmed or reported to be defunct, as required by paragraph 39 of Resolution 1989 (2011). At the beginning of March of this year, the Team has submitted to the Committee, as required by paragraph 41 of Resolution 2083 (2012), an updated list of entities confirmed or reported to be defunct which the Committee will review and decide on the continued appropriateness of their listing, and, where necessary, will consult with relevant Member States.*

23. *Under paragraph 42 of Resolution 2083 (2012) the Committee is requested to conduct an annual review of all names on the Al-Qaida List which have not been reviewed in three or more years ("triennial review"). The Team will be submitting a list of those names that have not been reviewed in three or more years for the Committee's triennial review.*

24. *The Team, as mandated in paragraph 62 of Resolution 2083 (2012), participated on 9 April 2013 in a special thematic meeting of the Committee which addressed issues related to outreach and technical support to affected and regional countries on the application of the sanctions measures targeting Al-Qaida in the Islamic Maghreb (AQIM) (QE.T.14.01) and the Mouvement pour l'Unification et le Jihad en Afrique de l'Ouest (MUJAO) (QE.M.134.12).*

Reports

25. *The Committee has considered the Team's 13th Report, submitted on 31st October 2012, and reflected its position on the Team's recommendations in a subsequent position paper. In accordance with Resolution 2083 (2012) the Team will submit its 14th Report to the Committee at the end of June 2013.*

Ombudsperson

26. *The Team has continued to maintain a close working relationship with the Ombudsperson and provided information for its files and questions for the petitioner on most of the petitions she has received, as mandated in Annex I of Resolution 2083 (2012).*

Outreach

27. *The Team's interaction with Member States encourages compliance by promoting a thorough understanding of the sanctions regime; it facilitates a dialogue between member States and the Committee and provides the Committee with additional information both on list entries and the challenges of sanctions implementation as well as on the effectiveness of the measures themselves. Since my last briefing on 14 November 2012, the Team has made five more country visits to Member States. To-date the Team has participated in 21 joint country visits with the Counter-Terrorism Executive Directorate (CTED).*

28. *The Team continued to interact with the CTED, the 1540 Committee Group of Experts, the Counter Terrorism Implementation Task Force (CTITF) and other international, regional and sub-regional organizations like INTERPOL, the Financial Action Task Force (FATF), the Eastern and Southern Africa Anti Money Laundering Group (ESAAMLG) and the Middle-East and North Africa Financial Action Task Force (MENAFATF).*

29. *The Team supported the global initiative of the Counter-Terrorism Committee aimed at enhancing Member States' capacity to comply with their assets freeze obligation pursuant to Security Council Resolution 1373 (2001). As part of this global initiative, the CTED in collaboration with the Intergovernmental Action Group against Money Laundering in West Africa (GIABA), held a regional workshop for Member States of the West African Economic and Monetary Union (WAEMU) in Dakar, Senegal from 11 to 13 December, 2012. The Team responded positively to the invitation by CTED to participate in the workshop to enable the participants to learn about and discuss the difference and the similarities between the freezing obligations under resolution 1373 (2001) and the UN 1267/1989 and 1988 sanctions regimes. All this has increased understanding of the Al-Qaida sanctions regime and advanced its objectives.*