

**Briefing by H.E. Mr. Thomas Mayr-Harting,
Chairman of the Security Council Committee
established pursuant to resolution 1267 (1999)
concerning Al-Qaida and the Taliban and
Associated Individuals and Entities,
to the Security Council on 11 May 2010**

I. Introduction

1. Countries around the world and especially in South Asia continue to face the threat posed by Al-Qaida and the Taliban. We must therefore ensure that the existing sanctions regime against Al-Qaida and the Taliban remains a relevant and effective tool in countering terrorism. Security Council resolution 1822 (2008) and in particular resolution 1904 (2009) are important steps in the evolution of the Al-Qaida and Taliban sanctions regime. These resolutions improved the Committee's procedures and created effective instruments to ensure that the Committee's "Consolidated List" of individuals and entities associated with Al-Qaida and the Taliban remains dynamic and accurately reflects the current threat. In today's briefing I would like to focus on the implementation aspects of resolutions 1822 (2008) and 1904 (2009).

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

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5. Currently the Committee is at the peak of the final phase of the review: each name is placed on the

IV. Resolution 1904 (2009)

11. Resolution 1904 (2009) adopted by the Security Council on 17 December 2009, substantially improves the procedures under the Al-Qaida and Taliban sanctions regime in terms of due process. On 1 February of this year, I introduced the main new elements of resolution 1904 (2009) in an open briefing to all Member States. Today, I will therefore only highlight some of the key aspects:

New Delisting Procedures / Office of the Ombudsperson

12. The establishment of the Office of the Ombudsperson is the most significant innovation of the resolution. For the first time ever, individuals and entities subject to sanctions measures will have the opportunity to present their cases to an independent body which will be assisting the Committee when considering delisting requests. The Ombudsperson shall be an eminent individual of high moral character, impartiality and integrity with high qualifications and experience in relevant fields, such as legal, human rights, counter- terrorism and sanctions. The Ombudsperson shall perform his or her tasks in an independent and impartial manner. The Ombudsperson will replace the Focal Point established pursuant to resolution 1730 (2006) for delisting requests regarding the Consolidated List, while the Focal Point will continue to receive delisting requests for other sanctions regimes.
13. I am happy to inform the Security Council that a number of excellent candidates have applied for the position of Ombudsperson. Pursuant to resolution 1904 (2009), the Ombudsperson shall be appointed by the Secretary-General in close consultation with the Committee. The Committee is in the process of finalizing its consultations and will convey its views to the Secretary-General in the very next days.
14. Another important improvement is the provision of reasons for rejecting delisting requests. In cases where delisting requests are rejected, Committee members are called on to make every effort to provide their reasons for ot0026 T-0.mt to such re

will be an annual review of names on the Consolidated List which have not been reviewed in three or more years.

Pending issues (“holds”):

17. Committee members may place holds on matters that are under consideration. So far, there has been no clear procedure and no time-limit for such “holds”. Resolution 1904 (2009) introduces a new procedure for pending issues: “Holds” now have a time-limit of 6 months, and this period can only be extended on a case-by-case basis and in extraordinary circumstances. In addition, the Committee will have to review all existing “holds” by 31 December 2010.

Revision of Guidelines:

18. Resolution 1904 (2009) can only be effectively implemented if the working methods of the Committee are adapted to the new procedures: During the last months, the Committee has worked intensively to adapt the Committee’s Guidelines so that they reflect the provisions of the new resolution. I am pleased to announce that the Committee is currently concluding the revision of the Guidelines which will be adopted in the coming days. We are convinced that the new Guidelines will be an important tool to conduct the Committee’s work in a more effective, efficient, fair and transparent manner.

V. The Consolidated List

19. *As of today, the Consolidated List has 496 entries: 393 individuals (256 associated with Al-Qaida and 137 associated with the Taliban) and 103 entities associated with Al-Qaida. Since my last briefing, the Committee has added to the List the names of seven individuals associated with Al-Qaida. During the same period, the Committee approved the delisting of sixteen entries (eleven individuals and five entities), eleven in the framework of the review. I would like to underscore that, apart from the review pursuant to resolution 1822 (2008), listed individuals and entities continue to have access to the Focal Point for delisting and – after his/her appointment – to the Ombudsperson.*
20. *The Committee also approved 51 amendments to entries on the List. The Consolidated List remains one of the most important instruments available to the United Nations in its efforts to counter terrorism, and I therefore strongly encourage Member States to continue contributing to improving the quality of the list. Our common objective should be to have a dynamic list that adequately reflects the changing threat posed by Al-Qaida and the Taliban.*
21. *On 12 January this year the Committee made available on its website new Standard Forms for Listing to be used when proposing the inclusion of individuals and entities on the Consolidated List. New fields have been added to the Standard Forms with a view to improving the quality and precision of the information contained in listing requests, and to simplify the presentation of the statement of the case by designating States. In accordance with paragraph 11 of resolution 1904 (2009), as a rule, the statement of case shall be releasable, except for the parts a State identifies as being confidential.*

22. *Since the last briefing, the Committee received six notifications for exemptions to the assets freeze for basic expenses under paragraph 1(a) of reso*

28. I would also like to take this opportunity to reiterate that the Committee welcomes the Security Council's encouragement set forth in paragraph 36 of resolution 1904 (2009) for Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues or for voluntary briefings on their efforts to implement the sanctions measures. The Committee is ready to listen to ideas and concerns, and looks forward to continuing its cooperation and dialogue with all Member States.

VII. Conclusion