

SECURITY COUNCIL COMMITTEE ESTABLISHED
PURSUANT TO RESOLUTION 1267 (1999)
CONCERNING AL-QAIDA AND THE TALIBAN
AND ASSOCIATED INDIVIDUALS AND ENTITIES

GUIDELINES OF THE COMMITTEE FOR THE CONDUCT OF ITS WORK

(Adopted on 7 November 2002, as amended on 10 April 2003, 21 December 2005, 29 November 2006, 12 February 2007, and 9 December 2008 and 22 July 2010¹)

1. The Al-Qaida and Taliban Sanctions Committee

- (a) The Committee of the Security Council established by paragraph 6 of Security Council resolution 1267 (1999) of 15 October 1999 is known as the Al-Qaida and Taliban Sanctions Committee. Its functions were modified by resolutions 1390 (2002) of 16 January 2002, 1526 (2004) of 30 January 2004, 1617 (2005) of 29 July 2005, 1730 (2006) of 19 December 2006, 1735 (2006) of 22 December 2006, 1822 (2008) of 30 June 2008 and 1904 (2009) of 17 December 2009. For the purposes of these guidelines, the Al-Qaida and Taliban Sanctions Committee shall hereinafter be referred to as “the Committee.”
- (b) The Committee is a subsidiary organ of the Security Council and will consist of all Members of the Council.
- (c) The Chairman of the Committee will be appointed by the Security Council to serve in his/her personal capacity. The Chairman will be assisted by two delegations who will act as Vice-Chairmen, and who will also be appointed by the Security Council.
- (d) The Chairman will chair meetings of the Committee. When he/she is unable to chair a meeting, he/she will nominate one of the Vice-Chairmen or another representative of his/her Permanent Mission to act on his/her behalf.
- (e) The Secretariat of the Committee will be provided by the Secretariat of the United Nations.

2. Mandate of the Committee

The mandate of the Committee shall be, on the basis 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) as reiterated in paragraph 1 of resolutions 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008) and 1904 (2009), to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

CONSOLIDATED LIST

- (a) To consider listing submissions, delisting requests and proposed updates to the existing information relevant to the list referred to in paragraph 1 of resolution 1904 (2009) (the “Consolidated List”), as described in Sections 6, 7 and 8 below respectively;
- (b) To update regularly the Consolidated List, as described in Sections 5 and 8 below;

¹ Following the adoption of resolution 1904 (2009), several sections were restructured and redrafted, and Section 9 was added.

- (c) To make accessible on the Committee's website narrative summaries of reasons for listing for all entries on the Consolidated List, as described in Section 9 below;
- (d) To review the names on the Consolidated List, as described in Section 10 below;

MEASURES IMPLEMENTATION

- (e) To seek from all States further information regarding the actions taken by them with a view to effectively implement the measures imposed by the resolutions as referred to above;
- (f) To consider information brought to its attention by States concerning non-compliance with the measures imposed by the resolutions as referred to above, to identify possible cases of non-compliance with these measures and to determine the appropriate course of action on each case;
- (g) To make periodic reports to the Council on information submitted to the Committee regarding the implementation of resolution 1904 (2009), including regarding non-compliance with the measures imposed by the resolutions referred to above;
- (h) To keep these guidelines under active review in support of the objectives to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Consolidated List and for removing them as well as for granting humanitarian exemptions;
- (i) To amend expeditiously these guidelines and criteria as may be necessary to facilitate the implementation of the measures imposed by the resolutions as referred to above;
- (j) To consider requests by Member States for additional information which would facilitate the implementation of the measures referred to above in accordance with Section 8, paragraph (f) below;
- (k) To transmit requests by Member States for technical assistance to the Counter-Terrorism Committee and the Counter-Terrorism Implementation Task Force;

EXEMPTIONS TO THE MEASURES

- (l) To consider notifications and requests concerning exemptions from the assets freeze set out in paragraph 1(a) of resolution 1904 (2009), in accordance with resolution 1452 (2002) and 1735 (2006) and as described in Section 11 below;
- (m) To consider requests for exemptions from the travel ban set out in paragraph 1(b) of resolution 1904 (2009), in accordance with that paragraph and as described in Section 12 below;

REPORTS

- (n) To examine the reports submitted by Member States pursuant to paragraph 6 of resolution 1455 (2003), reports presented by the Analytical Support and Sanctions Monitoring Team (hereinafter referred to as "the Monitoring Team") pursuant to Annex I to resolution 1904 (2009), checklists submitted by Member States pursuant to paragraph 10 of resolution 1617 (2005) and information submitted by Member States using the tools provided on the

Committee's website (such as the Annual Statements of Information on Updates to the Consolidated List² and the Voluntary National Assessment of Implementation Survey³);

OUTREACH

- (o) To cooperate with other relevant Security Council Sanctions Committees and with the Committee established pursuant to paragraph 6 of resolution 1373 (2001) of 28 September 2001 and with the Committee established pursuant to paragraph 4 of resolution 1540 (2004) of 28 April 2004 as well as with the Counter-Terrorism Implementation Task Force;
- (p) To make publicly available through the appropriate media information it considers relevant, including the Consolidated List;
- (q) To consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members (see Section 15 (c) below);
- (r) To report orally, through its Chairman, at least every 180 days to the Council on the state of the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States as described in Section 14 below;

3. Meetings of the Committee

- (a) Meetings of the Committee, both formal and informal, will be convened at any time the Chairman deems necessary, or at the request of a Member of the Committee. To the extent possible, four working days notice will be given for any meeting of the Committee, although shorter notice may be given in urgent situations.
- (b) The Committee will meet in closed sessions, unless it decides otherwise. The Committee may invite any Member of the United Nations to participate in the discussion of any question brought before the Committee in which interests of that Member are specifically affected. The Committee will consider requests from Member States and relevant international organizations to send representatives to meet with the Committee as described in Section 13, paragraph (e). The Committee may invite members of the Secretariat or other persons to provide the Committee with appropriate expertise or information or to give it other assistance in examining matters within its competence.
- (c) The Committee may invite the members of the Monitoring Team to attend meetings as appropriate.
- (d) When the Committee considers a delisting request submitted to the Ombudsperson, the Chairman shall invite the Ombudsperson, aided by the Monitoring Team, as appropriate, to present his/her Comprehensive Report and answer Committee Members' questions regarding the request.

² <http://www.un.org/sc/committees/1267/annualstat.shtml>

³ <http://www.un.org/sc/committees/1267/pdf/New%20tool%20-%20survey%20-%20English.pdf>

4. Decision-making

- (a) The Committee shall make decisions by consensus of its Members. If consensus cannot be reached on a particular issue, the Chairman should undertake such further consultations as may facilitate agreement. If after these consultations, consensus still cannot be reached, the matter may be submitted to the Security Council. The Chairman may encourage and facilitate bilateral exchanges between interested Member States in order to clarify the issue prior to a decision.
- (b) Where the Committee agrees, decisions may be taken by a written procedure. In such cases the Chairman will circulate to all Members of the Committee the proposed decision of the Committee, and will request Members of the Committee to indicate any objection they may have to the proposed decision within 5 full working days (or in urgent situations, such shorter period as the Chairman shall determine). Listing and delisting requests, together with all relevant information in accordance with the guidelines, as assessed by the Chairman, shall be considered in accordance with paragraph 6 (h) and 7 (g) respectively. If no objection is received within the specified period, the decision will be deemed adopted. Communications submitted to the Committee pursuant to resolution 1452 (2002) shall be considered in accordance with the procedure determined by that resolution, as revised by resolution 1735 (2006).
- (c) If a Committee Member requests more time to consider a proposal, the Chairman shall inform the other Committee Members. The Secretariat shall include the matter in the list of pending issues and inform the State(s) concerned or, where appropriate, the Ombudsperson that the matter is still under the Committee's consideration. If the Committee Member concerned requires additional information to resolve the pending matter, it may ask the Committee to request additional information on that specific matter from the State(s) concerned. The Committee Member concerned shall provide updates after three months on its progress in resolving the pending matter.
- (d) The Committee shall ensure that no matter is left pending for a period longer than six months. At the end of the six month period the pending matter shall be deemed approved unless
- (i) the Committee Member concerned has objected to the proposal; or
 - (ii) the Committee determines, at the request of the Committee Member concerned, on a case by case basis that extraordinary circumstances require additional time to consider the proposal and extends the time for consideration by up to three months at the end of the six month period. At the end of this additional period, the pending matter shall be deemed approved unless the Committee Member concerned has objected to the proposal.
- The Secretariat shall immediately take the necessary steps, including updating the Consolidated List, and inform the State(s) concerned and, where appropriate, the Ombudsperson, about the Committee's decision.
- (e) The Committee will review once a month, as necessary, the status of pending issues as updated by the Secretariat, including updates provided by Committee Members.
- (f) A hold placed on a matter by a Member of the Committee will cease to have effect at the time its membership of the Committee ends. New Members shall be informed of all pending matters one month before their membership of the Committee begins and shall

inform the Committee of their position on relevant matters, including possible approval, objection or hold, by the time they become Members.

5. The Consolidated List

- (a) The Committee will update regularly the Consolidated List when it has agreed to include or delete relevant information in accordance with the procedures set out in these guidelines.
- (b) The updated Consolidated List will be made promptly available on the website of the Committee. At the same time, any modification to the Consolidated List will be communicated to Member States immediately through Notes Verbales, including an electronic advance copy, and United Nations Press Releases.
- (c) Once the updated Consolidated List is communicated to Member States, States are encouraged to circulate it widely, such as to banks and other financial institutions, border points, airports, seaports, consulates, customs agents, intelligence agencies, alternative remittance systems and charities.

6. Listing

- (a) The Committee shall consider including new names based on submissions received from Member States.
- (b) Member States are encouraged to establish a national mechanism or procedure to identify and assess names for inclusion on the Consolidated List and to appoint a national contact point concerning entries on that list according to national laws and procedures.
- (c) Before a Member State proposes a name for inclusion on the Consolidated List, it is strongly encouraged, to the extent possible, to approach the State(s) of residence and/or nationality of the individual or entity concerned to seek additional information. States are advised to submit names as soon as they gather the supporting evidence of association with Al-Qaida and/or the Taliban. A criminal charge or conviction is not a prerequisite for listing as the sanctions are intended to be preventive in nature. The Committee will consider proposed listings on the basis of the “associated with” standard described in paragraphs 2 and 3 of resolution 1617 (2005), as reaffirmed in paragraphs 2 and 3 of resolution 1904 (2009). When submitting names of groups, undertakings and/or entities, States are encouraged, if they deem it appropriate, to propose for listing at the same time the names of the individuals responsible for the decisions of the group, undertaking and/or entity concerned.
- (d) When proposing names for inclusion on the Consolidated List, Member States should use the standard forms for listing available on the Committee’s website⁴ and shall include as much relevant and specific information as possible on a proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of the individual, group, undertaking or entity concerned by competent authorities, including:
 - For individuals: family name/surname, given names, other relevant names, date of birth, place of birth, nationality/citizenship, gender, aliases, employment/occupation, State(s) of residence, passport or travel document and national identification number,

⁴ <http://www.un.org/sc/committees/1267/listing.shtml>.

current and previous addresses, current status before law enforcement authorities (e.g. wanted, detained, convicted), location;

- For groups, undertakings or entities: name, registered name, short name(s)/acronyms, and other names by which it is known or was formerly known, address, headquarters, branches/subsidiaries, organizational linkages, parent company, nature of business or activity, State(s) of main activity, leadership/management, registration (incorporation) or other identification number, status (e.g. in liquidation, terminated), website addresses;
- (e) Member States shall provide a detailed statement of case in support of the proposed listing that forms the basis or justification for the listing in accordance with the relevant resolutions. The statement of case should provide as much detail as possible on the basis(es) for listing, including but not limited to: (1) specific information demonstrating that the individual/entity meets the criteria for listing set out in paragraphs 2 and 3 of resolution 1904 (2009); (2) details of any connection with a currently listed individual or entity; (3) information about any other relevant acts or activities of the individual/entity; (4) the nature of the supporting evidence (e.g. intelligence, law enforcement, judicial, open source information, admissions by subject, etc.); (5) additional information or documents supporting the submission as well as information about relevant court cases and proceedings. The statement of case shall be releasable, upon request, except for the parts the designating State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in section 9 below.
- (f) Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Consolidated List before the adoption of resolution 1904 (2009), should specify whether the Committee may make known, upon request from another Member State, their status as designating State(s).
- (g) Member States may co-sponsor a new designation as long as the listing request is under the Committee's consideration. These States will also be considered designating States and should also specify whether the Committee may make known, upon request from another Member State, their status as designating State(s).
- (h) The Committee will consider listing requests within a period of 10 full working days, which may be shortened, if requested, at the Chairman's discretion, for emergency and time-sensitive listings. If a proposal for listing is not approved within the decision-making period, the Committee will notify the submitting State on the status of the request.
- (i) Committee Members and the Monitoring Team are called upon to share with the Committee any information available regarding a listing request to help inform the Committee's decision and provide additional material for the narrative summary of reasons for listing.
- (j) Upon request of a Committee Member, listing requests may be placed on the Committee's agenda for more detailed consideration. If deemed necessary, the Committee may request additional background information from the Monitoring Team and/or the designating State(s). Following consideration by the Committee, the Chairman shall circulate the listing request under the written decision-making procedure as described in Sections 4 (b) and 6 (h) above.

- (k) At the same time a name is added to the Consolidated List, the Committee shall, with the assistance of the Monitoring Team and in coordination with the relevant designating State(s), make accessible on the Committee's website a narrative summary of reasons for listing for the corresponding entry or entries. In addition to the narrative summary, the Secretariat shall, promptly after a name is added to the Consolidated List, publish on the Committee's website all relevant publicly releasable information, where available.
- (l) In its communication informing Member States of new entries to the Consolidated List, the Secretariat shall include the narrative summary of reasons for listing.
- (m) Unless the Committee decides otherwise, the Secretariat shall request INTERPOL to issue, where feasible, an INTERPOL-United Nations Security Council Special Notice for each name added to the list.
- (n) The Secretariat shall, after publication but within three working days after a name is added to the Consolidated List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known). The Secretariat shall include with this notification a copy of the narrative summary of reasons for listing, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting delisting requests to the Office of the Ombudsperson in accordance with paragraphs 20 and 21 and annex II of resolution 1904 (2009), and the provisions for available exemptions. The letter shall remind States receiving such notification that they are required to take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the newly listed individuals and entities on the Consolidated List of the measures imposed on them, any information on reasons for listing available on the Committee's website as well as all the information provided by the Secretariat in the above-mentioned notification. In addition, in its notification, the Secretariat shall invite States to provide in accordance with national law details on measures taken to freeze assets of the individuals or entities concerned.
- (o) Where address is known, and after the Secretariat has officially notified the Permanent Mission of the State(s) concerned, the Ombudsperson shall notify individuals or entities about the status of their listing. The Ombudsperson shall include all additional information as described in paragraph [n] above.

7. Delisting

- (a) A petitioner (individual(s), groups, undertakings, and/or entities on the Consolidated List) seeking to submit a request for de-listing can do so either directly to the Office of the Ombudsperson as outlined in paragraph (c) and in the attached annex, or through his/her State of residence or nationality as outlined in paragraph (e) below
- (b) A State can decide, that as a rule, its nationals or residents should address their de-listing requests directly to the Office of the Ombudsperson. The State will do so by a declaration addressed to the Chairman that will be published on the Committee's website.
- (c) In accordance with paragraph 20 and annex II of resolution 1904 (2009) the Office of the Ombudsperson shall receive delisting requests submitted by, or on behalf, of a petitioner

following the procedures outlined in annex II of resolution 1904 (2009) (reproduced in the annex to these guidelines).

- (d) After the appointment of the Ombudsperson, the Focal Point established in resolution 1730 (2006) shall no longer receive delisting requests regarding individual(s), groups undertakings and/or entities on the Consolidated List. In case the Focal Point continues to receive such delisting requests, it shall forward those requests to the Office of the Ombudsperson and shall inform the individual/entity accordingly. The Focal Point shall continue to process pending delisting requests which it had received prior to the appointment of the Ombudsperson in accordance with the annex to resolution 1730 (2006).
- (e) Member States may at any time submit to the Committee requests for delisting of individuals, groups, undertakings, and/or entities inscribed on the Consolidated List, after having bilaterally consulted with the designating State(s), the State(s) of nationality, residence or incorporation, where applicable. The Chairman, with the support of the Secretariat, shall facilitate contacts between the State requesting the delisting and the designating State(s). The Chairman shall circulate the request, including, as appropriate, additional information provided by the Monitoring Team, under the written procedure as described in Section 4 (b) above and 7 (g) below. Upon request of a Member of the Committee, the delisting request shall be placed on the Committee's agenda for more detailed consideration. If deemed necessary, the Committee may request additional background information from the Monitoring Team and/or the State(s) concerned and may invite these States to submit their views within a period of one month. Following consideration by the Committee, the Chairman shall circulate the delisting request under the written procedure as described in Section 4 (b) above and 7 (g) below.
- (f) When submitting a delisting request, the standard form for delisting, available on the Committee's website⁵, should be used. The delisting request should explain why the individual or entity concerned no longer meets the criteria described in paragraphs 2 and 3 of resolution 1617 (2005) as reaffirmed in paragraphs 2 and 3 of resolution 1904 (2009). Any documentation supporting the request can be referred to and/or attached together with the explanation of its relevance, where appropriate.
- (g) When considering delisting requests, the Committee shall give due consideration to the opinions of designating State(s), State(s) of residence, nationality or incorporation. The Committee will consider delisting requests within a period of 10 full working days, which may be shortened to a minimum of two full working days, if requested and in exceptional circumstances, at the Chairman's discretion, for emergency and time-sensitive delistings after previously informing the Members of the Committee. After this period, the Secretariat shall inform the Members of the committee whether an objection has been received and the Consolidated List will be updated accordingly, where appropriate.
- (h) Committee Members are called on to make every effort to provide reasons for objecting to delisting requests. If the Committee decides to reject a delisting request, the Committee shall convey to the petitioner, through the Ombudsperson or the State(s) concerned, its decision following the respective procedures outlined in annex II of resolution 1904 (2009) (reproduced in the annex to these guidelines) or in Section 7 (k) below.

⁵ <http://www.un.org/sc/committees/1267/delisting.shtml>

- (i) For a deceased individual, the delisting request shall be submitted either directly to the Committee by a State, or to the Office of the Ombudsperson by his/her legal beneficiary, together with official documentation certifying that status. The delisting request shall include a death certificate or similar official documentation confirming the death. The submitting State or the petitioner should also ascertain and inform the Committee whether or not any legal beneficiary of the deceased's estate or any joint owner of his/her assets is on the Consolidated List, and to the extent possible, inform the Committee about the names of any individuals or entities who would be in a position to receive any unfrozen assets of a deceased individual or defunct entity, in order to prevent unfrozen assets from being used for terrorist purposes.
- (j) The Secretariat shall, within three working days after a name is removed from the Consolidated List, notify the Permanent Mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known). The letter shall remind States receiving such notification that they are required to take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner. The Secretariat will also concurrently, if an INTERPOL-UNSC Special Notice exists for the relevant name, request INTERPOL to cancel that notice as well as provide confirmation when the cancellation is in effect.
- (k) If a delisting request submitted by a Member State is rejected, the Secretariat shall, within three working days after the Committee's decision, notify the Permanent Mission of the State submitting the request, the State(s) where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known). The notification shall include the Committee's decision, an updated narrative summary of reasons for listing and, where available, any other publicly releasable information about the Committee's decision, as well as other relevant information described in Section 6 (n) above. The letter shall remind States receiving such notification that they are required to take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity in a timely manner of the decision and as well as all the information provided by the Secretariat in the above-mentioned notification.

8. Updating the Existing Information on the Consolidated List

The Committee shall consider expeditiously, in accordance with the following procedures, any information supplied by Member States, regional or international organizations, or the Monitoring Team, in particular additional identifying information and other information, along with supporting documentation, including updates on the operating status of listed individuals, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events as well as any relevant court decisions and proceedings, as such information becomes available, and shall decide which information would improve the existing information on the Consolidated List.

- (a) The Committee will consider any additional information on listed individuals or entities submitted to it by Member States, regional or international organizations or the Monitoring Team. The Committee or the Monitoring Team, at the Committee's request, may approach the original designating State(s) and consult with it on the relevance of the submitted additional information. The Committee may also encourage Member States or regional or

international organizations providing such additional information to consult with the original designating State(s). The Secretariat will, subject to the designating State's consent, assist in establishing the appropriate contacts.

- (b) The Monitoring Team will, as appropriate, review any and all information received by the Committee in order to clarify or confirm such information. In this connection, the Monitoring Team will use all sources available to it, including other sources than those provided by the original designating State(s).
- (c) The Monitoring Team will subsequently advise the Committee, within 4 weeks, if such information could be included in the Consolidated List, or if further clarification is recommended in order to ascertain that the information received can be incorporated in the Consolidated List. The Committee shall decide whether and how such clarification should be obtained and may again call upon the expertise of the Monitoring Team.
- (d) The Monitoring Team may also submit to the Committee any information on listed individuals and entities it has obtained from publicly available official sources, or with the help of United Nations agencies, such as the United Nations Assistance Mission in Afghanistan, with their agreement. In such cases, the Monitoring Team shall identify the source of each piece of new information when presenting it for the Committee's consideration.
- (e) Upon the decision of the Committee to incorporate additional information into the Consolidated List the Committee will inform the Member State or regional or international organization that submitted the additional information accordingly.
- (f) Any additional relevant information submitted to the Committee that is not incorporated into the Consolidated List or the narrative summary of reasons for listing will be stored by the Monitoring Team in a database for the use of the Committee and the Monitoring Team in carrying out their respective mandates. Upon request, the Committee shall share any such additional information with Member States whose nationals, residents or entities have been included on the Consolidated List provided that the information is publicly releasable or the provider of the information has agreed to its release. The Committee may also call on the Monitoring Team to assist in conveying such additional relevant information to the requesting State(s). On a case-by-case basis the Committee may decide to release the information to other parties, with the prior consent of the submitting State.

9. Narrative Summaries of Reasons for Listing

- (a) For all entries on the Consolidated List, the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating State(s), shall continue to make accessible on its website narrative summaries of reasons for listing.
- (b) When a new name is proposed for listing, the Monitoring Team shall immediately prepare, in coordination with the relevant designating State(s), a draft narrative summary for the Committee's consideration which shall be circulated together with the corresponding listing request. The narrative summary shall be made accessible on the Committee's website at the same time a name is added to the Consolidated List.
- (c) Draft narrative summaries should be based on information provided by the designating State(s), Committee members or the Monitoring Team, including the statement of case, the

standard form for listing, any other official information provided to the Committee or any other relevant information publicly available from official sources.

- (d) The narrative summary should include: the date of listing; the basis(es) for listing according to relevant resolutions adopted by the Security Council, i.e. specific information demonstrating that the individual or entity meets the criteria for listing set out in the relevant resolutions; information about any acts or activities of the individual/entity indicating an association with Al-Qaida, Usama Bin Laden or the Taliban pursuant to paragraphs 2 and 3 of resolution 1904 (2009); the names and permanent reference numbers of other entries on the List associated with the listed party; any other relevant information available at the date or after the date of listing such as relevant court decisions and proceedings as provided by the designating State(s) or other Member States concerned; the date(s) when the narrative summary was first made accessible on the Committee's website and when it was reviewed or updated.
- (e) If the Committee decides to grant a delisting request, the Secretariat shall immediately remove the corresponding narrative summary from the Committee's website. If the Committee decides to reject a delisting request, the Monitoring Team shall prepare an updated draft narrative summary for the Committee's consideration reflecting the date of the Committee's decision to reject a delisting request as well as any relevant new publicly releasable information provided during the Committee's consideration.
- (f) When reviewing a list entry in accordance with paragraph 25 of resolution 1822 (2008) and paragraphs 26, 31 and 32 of resolution 1904 (2009), the Committee shall also review the corresponding narrative summary. Upon completion of the review, the Monitoring Team shall prepare an updated draft narrative summary for the Committee's consideration reflecting the date of the Committee's review as well as any relevant new publicly releasable information provided during the Committee's consideration.
- (g) At any time the Committee may consider updating narrative summaries based on new information, proposed changes or additions as well as information about any relevant court decisions and proceedings submitted by Committee Members, the Monitoring Team, Member States or relevant international organizations.

10. Review of the Consolidated List

- (a) The Committee was directed by the Security Council in resolution 1822 (2008) to conduct a one-time review of all names that were inscribed on the Consolidated List as at 30 June 2008, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate. For the purposes of this review the following procedure has been applied:
 - i. Each trimester, the Committee shall circulate a subset of these names to the designating State(s), together with the original statement of case and cover sheet, as applicable. At the same time, the Monitoring Team shall provide these States with the corresponding draft narrative summary of reasons for listing. The Committee shall also circulate those names to the State(s) of residence and/or nationality, where known, together with the publicly releasable portion(s) of the statement of case. Each subset should comprise, to the extent possible, a balanced selection of names from the different sections of the Consolidated List.

- ii. The Committee shall ask the designating State(s) and the State(s) of residence and/or nationality to submit to the Committee within 3 months any updated information on the reasons for listing, as well as any additional identifying and other information, along with supporting documentation, on these listed individuals and entities, including updates on the operating status of the listed entities, the movement, incarceration or death of the listed individuals and other significant events. The Committee shall also urge these States to indicate whether they deem the listing remains appropriate.

In cases where any of the States reviewing the names in accordance with subparagraph ii. above determines that a listing is no longer appropriate, that State may submit a de-listing request following the same relevant procedures set out in Section 7 of these guidelines.

- iii. At the latest at the end of the 3 months period referred to in subparagraph ii. above or when the designating State(s) and the State(s) of residence and/or nationality have provided the sought information when they had reported within the 3 months on their progress in reviewing the names, the Chairman shall circulate each name with all the available information to the members of the Committee and to the Monitoring Team. Within one month, which may be shortened, if necessary, at the Chairman's discretion to a minimum of two weeks, after this circulation, any Member of the Committee and/or the Monitoring Team may submit any additional information on the names under review.
- iv. At the end of the one month (or shortened) period referred to in subparagraph iii. above, the Chairman shall place each name under review on the Committee's agenda and circulate to the Committee all available information, including information provided by Member States and relevant international organizations informing the Committee of any relevant court decisions and proceedings. On the basis of this information, the Committee shall consider updating the Consolidated List and shall make accessible on its website the narrative summary of reasons for listing, as appropriate.

In cases where a member of the Committee in the course of the review referred to in subparagraph iv. above determines that a listing is no longer appropriate, it may, in close consultations with the designating State(s), State(s) of residence and/or nationality and taking into account their views on the matter as referred to in subparagraph ii. above, submit a de-listing request following the same relevant procedures set out in Section 7 of these guidelines.

If no decision has been taken by the Committee to remove a name under review from the Consolidated List, the listing of that name shall be confirmed to remain appropriate and those names shall remain on the Consolidated List.

- v. Upon completion of the review of a name, the Secretariat shall notify the designating State(s) and the State(s) of residence and nationality thereof. The State(s) of residence and nationality shall be encouraged to take, in accordance with their domestic laws and practices, all possible measures to notify or inform the individual or entity accordingly and in cases where listing is confirmed to remain appropriate, provide any information on reasons for listing available on the Committee's website as well

as the procedures for considering de-listing requests and the provisions for available exemptions.

- (b) Upon conclusion of the review pursuant to paragraph 25 of resolution 1822 (2008) as described in paragraph (a) above the Committee shall conduct an annual review of all names on the Consolidated List that have not been reviewed in three or more years, in which the relevant names are circulated to the designating States and States of residence and/or nationality, where known, in order to ensure the Consolidated List is as updated and as accurate as possible and to confirm that the listing remains appropriate.
- (c) The Committee's consideration of a delisting request after the date of adoption of resolution 1904 (2009), pursuant to the procedures set out in annex II to resolution 1904 (2009) (reproduced in the annex to these guidelines), should be considered equivalent to a review of that listing.
- (d) Upon conclusion of the review pursuant to paragraph 25 of resolution 1822 (2008), the Monitoring Team shall circulate to the Committee every six months a list of individuals on the Consolidated List who are reportedly deceased, along with an assessment of relevant information such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets. The Committee shall review these listings along with the original listing request, as well as all relevant information pertaining to those entries to decide whether they remain appropriate, and to remove listings of deceased individuals where credible information regarding death is available. To ensure the Consolidated List is as updated and as accurate as possible, any member of the Committee may request a review of these names.
- (e) If after the review of a deceased person as described in paragraph (d) above all members of the Committee are of the view that the name should be removed from the list but no Member State proposes delisting, the delegation of the Chairman shall submit a request for delisting to be circulated under the written procedure as described in Section 4 (b) above.
- (f) Upon conclusion of the review pursuant to paragraph 25 of resolution 1822 (2008), the Committee will request the Monitoring Team to circulate to the Committee annually a list of individuals and entities on the Consolidated List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them. The Committee shall review these listings to decide whether they remain appropriate.
- (g) The procedures for the reviews under paragraphs (b), (d) and (f) shall be based on the procedures described in paragraph (a) above but may be adapted by the Committee according to lessons learned during that review.
- (h) The reviews described in this section shall not preclude the submission of de-listing requests at any time, in accordance with the relevant procedures set out in Section 7 of these guidelines.
- (i) As directed by the Security Council in paragraph 42 of resolution 1904 (2009), the Committee will conduct a comprehensive review of all issues pending before the Committee as at 17 December 2009, and shall endeavor to resolve all such pending issues, to the extent possible, by 31 December 2010.

11. Exemptions to the Assets Freeze

- (a) Pursuant to resolution 1452 (2002), as amended by paragraph 15 of resolution 1735 (2006), the Committee shall receive notifications from Member States of their intention to authorize, where appropriate, access to frozen funds or other financial assets or economic resources to cover basic expenses, as provided for in paragraph 1(a) of resolution 1452 (2002). The Committee, through the Secretariat, will immediately acknowledge receipt of the notification. Should no negative decision be taken by the Committee within the requisite 3 working day period, the Committee, through its Chairman, will inform the notifying Member State thereof. The Committee will also inform the notifying Member State if a negative decision has been taken regarding the notification.
- (b) The Committee shall consider and approve, if appropriate, requests by Member States for extraordinary expenses, as provided for in paragraph 1(b) of resolution 1452 (2002). Member States are encouraged, when submitting requests to the Committee pursuant to paragraph 1 (b) of resolution 1452 (2002), to report in a timely way on the use of such funds, with a view to preventing such funds from being used to finance terrorism.
- (c) Notifications under paragraph 1(a) of resolution 1452 (2002) and requests under paragraph 1(b) of resolution 1452 (2002) should, as appropriate, include the following information:
- i. recipient (name and address)
 - ii. recipient's permanent reference number on the Consolidated List
 - iii. recipient's bank information (name and address of bank, account number)
 - iv. purpose of payment and justification of the determination of the expenses falling under paragraph 1(a) or under paragraph 1(b):
 - under paragraph 1(a):
 - basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - payment of reasonable professional fees and reimbursement of incurred expenses associated with the provisions of legal services;
 - fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources.
 - under paragraph 1(b):
 - extraordinary expenses (other categories than the ones mentioned under paragraph 1 (a)).
 - v. amount of installment
 - vi. number of installments
 - vii. payment starting date
 - viii. bank transfer or direct debit
 - ix. interests
 - x. specific funds being unfrozen
 - xi. other information.

- (d) Pursuant to paragraph 2 of resolution 1452 (2002) and paragraph 6 of resolution 1904 (2009), States may allow for the addition to accounts subject to the assets freeze of:
- i. interest or other earnings due on those accounts, or
 - ii. payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the assets freeze, or
 - iii. any payment in favour of listed individuals, groups, undertakings or entities, provided that any such interest, other earnings and payments continue to be subject to the assets freeze.

12. Exemptions from the Travel Ban

In paragraph 2 (b) of resolution 1390 (2002), as reaffirmed by subsequent relevant resolutions, including paragraph 1 (b) of resolution 1904 (2009), the Security Council decided that the travel ban imposed under the Al-Qaida/Taliban sanctions regime shall not apply where the Committee determines, on a case by case basis only, that entry or transit is justified.⁶

- (a) Each request for exemption must be submitted in writing, on behalf of the listed individual, to the Chairman. The States that may submit a request through their Permanent Mission to the United Nations are the State(s) of destination, the State(s) of transit, the State of nationality, and the State of residence. If no effective central government exists in the country in which the listed individual is located, a United Nations office or agency in that country may submit the request for exemption on the listed individual's behalf.
- (b) Each request for exemption shall be received by the Chairman as early as possible but not less than five working days before the date of the proposed travel.
- (c) Each request for exemption should include the following information:
 - i. the permanent reference number, full name, nationality, passport number or travel document number of the listed individual;
 - ii. the purpose of and justification for the proposed travel, with copies of supporting documents, including specific details of meetings or appointments;
 - iii. the proposed dates and times of departure and return;
 - iv. the complete itinerary and timetable, including for all transit stops;
 - v. details of the mode of transport to be used, including where applicable, record locator, flight numbers and names of vessels;
 - vi. all proposed uses of funds or other financial assets or economic resources in connection with the travel. Such funds may only be provided in accordance with paragraph 1 of resolution 1452 (2002), as modified by paragraph 15 of resolution

⁶ The Security Council also decided that the travel ban shall not oblige any State to deny entry into or require the departure from its territories of its own nationals and shall not apply where entry or transit is necessary for the fulfillment of a judicial process.

1735 (2006). The procedures for making a request under resolution 1452 (2002) can be found in Section 11 of these guidelines.

- (d) Once the Committee has approved a request for exemption from the travel ban, the Chairman shall notify in writing the Permanent Missions to the United Nations of: the State in which the listed individual is resident, the State of nationality, the State(s) to which the listed individual will be traveling, and any transit State, as well as any UN office/agency involved as provided for in paragraph (a) above, to inform them of the approved travel, itinerary and timetable.
- (e) Written confirmation of the completion of the travel by the listed individual shall be provided to the Chairman within five working days following the expiry of the exemption by the State (or United Nations office/agency as in paragraph (a) above) in which the listed individual has stated he will be resident after completion of the exempted travel.
- (f) Notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of resolution 1904 (2009).
- (g) Any changes to the information provided under paragraph (c) above, including with regard to points of transit, shall require further consideration by the Committee and shall be received by the Chairman no less than three working days prior to the commencement of the travel.
- (h) Any request for an extension of the exemption shall be subject to the procedures set out above and shall be received by the Chairman in writing, with a revised itinerary, no less than five working days before the expiry of the approved exemption.
- (i) The submitting State (or United Nations office/agency as in paragraph (a) above) shall inform the Chairman immediately and in writing of any change to the departure date for any travel for which the Committee has already issued an exemption. Written notification will be sufficient in cases where the time of departure is advanced or postponed no more than 48 hours and the itinerary remains otherwise unchanged. If travel is to be advanced or postponed by more than 48 hours, or the itinerary is changed, then a new exemption request shall be submitted in conformity with paragraphs (a), (b) and (c) above.
- (j) In cases of emergency evacuation to the nearest appropriate State, including for medical or humanitarian needs or through force majeure, the Committee will determine whether the travel is justified within the provisions of paragraph 1 (b) of resolution 1904 (2009), within 24 hours once notified of the name of the listed individual traveler, the reason for travel, the date and time of evacuation, along with transportation details, including transit points and destination. The notifying authority shall also provide, as soon as possible, a doctor's or other relevant national official's note containing as many details as possible of the nature of the emergency and the facility where treatment or other necessary assistance was received by the listed individual without prejudice to respect of medical confidentiality, as well as information regarding the date, time, and mode of travel by which the listed individual returned to his/her country of residence or nationality, and complete details on all expenses in connection with the emergency evacuation.
- (k) Unless the Committee otherwise decides, all requests for exemptions and extensions thereto which have been approved by the Committee in accordance with the above procedures,

shall be posted in the “Exemptions” section of the Committee’s website until expiry of the exemption.

13. Reports Submitted by Member States and Other Information Supplied to the Committee

- (a) The Committee will examine reports and checklists submitted by Member States pursuant to relevant resolutions and other relevant information, including through the use of the tools provided on the Committee’s website. The Committee may request further information that it considers necessary.
- (b) The Committee will consider other information relevant to its work, including possible non-compliance with the measures imposed by the relevant resolutions, received from different sources through Member States, international or regional organizations or the Monitoring Team.
- (c) The information received by the Committee will be kept confidential if the provider so requests or if the Committee so decides.
- (d) With a view to assisting States in their endeavour to implement the measures set out in paragraph 1 of resolution 1904 (2009), the Committee may decide to supply information forwarded to it relating to possible non-compliance to the States concerned, and ask any such State to report to the Committee subsequently on any follow-up action undertaken.
- (e) The Committee will provide Member States and relevant international organizations with an opportunity to send representatives to meet the Committee for more in-depth discussion of relevant issues or to give voluntary briefings on their efforts to implement the measures, including particular challenges that hinder full implementation of the measures.

14. Reports to the Security Council

The Committee, through its Chairman, will report orally to the Security Council at least every 180 days pursuant to paragraph 46 of resolution 1904 (2009) on the state of the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States. In its periodic reports to the Council, the Chairman will also provide progress reports on the Committee’s work on the identification of possible cases of non-compliance with the measures pursuant to paragraph 1 of resolution 1904 (2009). The Committee will also submit written reports to the Council in accordance with relevant resolutions. The Committee, through its Chairman, may report to the Council when it deems appropriate.

15. Outreach

- (a) In order to enhance the dialogue with Member States and to publicize the work of the Committee, the Chairman will on a regular basis hold briefings for all interested Member States, as well as brief interested Member States and the press following formal meetings of the Committee, unless the Committee decides otherwise. In addition, the Chairman may, after prior consultations and with the approval of the Committee, hold press conferences and/or issue press releases on any aspect of the Committee’s work.

- (b) The Secretariat shall maintain a website for the Committee which should include all public documents relevant to the Committee's work, including the Consolidated List, relevant resolutions, public reports of the Committee, relevant press releases, reports submitted by Member States pursuant to resolution 1455 (2003), and reports of the Monitoring Group and the Monitoring Team. Information on the website should be updated in an expeditious manner.
- (c) The Committee may consider, as appropriate, visits by the Chairman and/or Committee Members to selected countries to enhance the full and effective implementation of the measures referred to above, with a view to encouraging States to comply fully with the relevant resolutions:
 - i. The Committee shall consider and approve the proposal to visit selected countries, and coordinate such visits with the Counter-Terrorism Committee and other subsidiary organs of the Security Council as appropriate.
 - ii. The Chairman will contact the selected countries through their Permanent Missions in New York, and will also send letters seeking their prior consent and explaining the objectives of the trip.
 - iii. The Secretariat and the Monitoring Team will provide the Chairman and the Committee with the necessary assistance in this regard.
 - iv. Upon his return the Chairman will prepare a comprehensive report on the findings of the trip and will brief the Committee orally and in writing.
- (d) The Committee shall consider and approve the six monthly travel plan of the Monitoring Team. Any new travel plans in addition to already approved travel of the Monitoring Team shall be sent to the Committee Members for information on a regular basis as necessary. Unless a Committee Member expressly objects to any proposed travel, the Chairman will take it that the Members of the Committee have no objection to the proposed travel and will advise the Monitoring Team to proceed accordingly.

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Annex (Ombudsperson Procedure for Delisting)¹

In accordance with paragraph 20 of resolution 1904 (2009), the Office of the Ombudsperson shall be authorized to carry out the following tasks upon receipt of a delisting request submitted by, or on behalf of, an individual, group, undertaking or entity on the Consolidated List (“the petitioner”).

Information Gathering (two months)

1. Upon receipt of a delisting request, the Ombudsperson shall:
 - (a) Acknowledge to the petitioner the receipt of the delisting request;
 - (b) Inform the petitioner of the general procedure for processing delisting requests;
 - (c) Answer specific questions from the petitioner about Committee procedures; and,
 - (d) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 2 of resolution 1904 (2009), and return it to the petitioner for his or her consideration;
 - (e) Verify if the request is a new request or a repeated request and, if it is a repeated request to the Ombudsperson and it does not contain any additional information, return it to the petitioner for his or her consideration.
2. For delisting petitions not returned to the petitioner, the Ombudsperson shall immediately forward the delisting request to the members of the Committee, designating State(s), State(s) of residence and nationality or incorporation, relevant UN bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant UN bodies to provide, within two months, any appropriate additional information relevant to the delisting request. The Ombudsperson may engage in dialogue with these States to determine:
 - (a) These States’ opinions on whether the delisting request should be granted; and,
 - (b) Information, questions or requests for clarifications that these States would like to be communicated to the petitioner regarding the delisting request, including any information or steps that might be taken by a petitioner to clarify the delisting request.
3. The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within two months:
 - (a) All information available to the Monitoring Team that is relevant to the delisting request, including court decisions and proceedings, news reports, and information that States or relevant international organizations have previously shared with the Committee or the Monitoring Team;
 - (b) Fact-based assessments of the information provided by the petitioner that is relevant to the delisting request; and,

¹ This annex reproduces annex II of resolution 1904 (2009). See also Section 7 of the guidelines.

- (c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request.
4. At the end of this two-month period of information gathering, the Ombudsperson shall present a written update to the Committee on progress to date, including details regarding which States have supplied information. The Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for information gathering, giving due consideration to requests by Member States for additional time to provide information.

Dialogue (two months)

5. Upon completion of the information gathering period, the Ombudsperson shall facilitate a two-month period of engagement, which may include dialogue with the petitioner. Giving due consideration to requests for additional time, the Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for engagement and the drafting of the Comprehensive Report described in paragraph 7 below.
6. During this period of engagement, the Ombudsperson:
 - (a) May ask the petitioner questions or request additional information or clarifications that may help the Committee's consideration of the request, including any questions or information requests received from relevant States, the Committee and the Monitoring Team;
 - (b) Shall forward replies from the petitioner back to relevant States, the Committee and the Monitoring Team and follow up with the petitioner in connection with incomplete responses by the petitioner; and,
 - (c) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;
7. Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, shall draft and circulate to the Committee a Comprehensive Report that will exclusively:
 - (a) Summarize and, as appropriate, specify the sources of, all information available to the Ombudsperson that is relevant to the delisting request. The report shall respect confidential elements of Member States' communications with the Ombudsperson;
 - (b) Describe the Ombudsperson's activities with respect to this delisting request, including dialogue with the petitioner; and,
 - (c) Based on an analysis of all the information available to the Ombudsperson and the Ombudsperson's observations, lay out for the Committee the principal arguments concerning the delisting request.

Committee Discussion and Decision (two months)

8. After the Committee has had thirty days to review the Comprehensive Report, the chair of the Committee shall place the delisting request on the Committee's agenda for consideration.
9. When the Committee considers the delisting request, the Ombudsperson, aided by the Monitoring Team, as appropriate, shall present the Comprehensive Report in person and answer Committee members' questions regarding the request.

10. After the Committee consideration, the Committee shall decide whether to approve the delisting request through its normal decision-making procedures.
11. If the Committee decides to grant the delisting request, then the Committee shall inform the Ombudsperson of this decision. The Ombudsperson shall then inform the petitioner of this decision and the listing shall be removed from the Consolidated List.
12. If the Committee decides to reject the delisting request, then the Committee shall convey to the Ombudsperson its decision including, as appropriate, explanatory comments, any further relevant information about the Committee's decision, and an updated narrative summary of reasons for listing.
13. After the Committee has informed the Ombudsperson that the Committee has rejected a delisting request, then the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, within fifteen days a letter that:
 - (a) Communicates the Committee's decision for continued listing;
 - (b) Describes, to the extent possible and drawing upon the Ombudsperson's Comprehensive Report, the process and publicly releasable factual information gathered by the Ombudsperson; and,
 - (c) Forwards from the Committee all information about the decision provided to the Ombudsperson pursuant to paragraph 12 above.
14. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

Other Office of the Ombudsperson Tasks

15. In addition to the tasks specified above, the Ombudsperson shall:
 - (a) Distribute publicly releasable information about Committee procedures, including Committee Guidelines, fact sheets and other Committee-prepared documents, to anyone who requests such information;
 - (b) Where address is known, notify individuals or entities about the status of their listing, after the Secretariat has officially notified the Permanent Mission of the State or States, pursuant to paragraph 18 of resolution 1904 (2009); and,
 - (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.
-