

International Instruments related to the Prevention and Suppression of International Terrorism

Volume II



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NOTE ON VOLUME II

As indicated in the introduction, this volume, reproduces selected declarations and resolutions of the General Assembly and the Security Council of the United Nations.



PART IV

**UNITED NATIONS GENERAL ASSEMBLY
(SELECTED DOCUMENTS)**



54. Declaration on Measures to Eliminate International Terrorism

GENERAL ASSEMBLY RESOLUTION 49/60 OF 9 DECEMBER 1994

ANNEX

Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Definition of Aggression, the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Deeply disturbed by the worldwide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

Deeply concerned by the increase, in many regions of the world, of acts of terrorism based on intolerance or extremism,

Concerned at the growing and dangerous links between terrorist groups and drug traffickers and their paramilitary gangs, which have resorted to all types of violence, thus endangering the constitutional order of States and violating basic human rights,

Convinced of the desirability for closer coordination and cooperation among States in combating crimes closely connected with terrorism, including drug trafficking, unlawful arms trade, money laundering and smuggling of nuclear and other potentially deadly materials, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Firmly determined to eliminate international terrorism in all its forms and manifestations,

Convinced also that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is an essential element for the maintenance of international peace and security,

Convinced further that those responsible for acts of international terrorism must be brought to justice,

Stressing the imperative need to further strengthen international cooperation between States in order to take and adopt practical and effective measures to prevent, combat and eliminate all forms of terrorism that affect the international community as a whole,

Conscious of the important role that might be played by the United Nations, the relevant specialized agencies and States in fostering widespread cooperation in preventing and combating international terrorism, *inter alia*, by increasing public awareness of the problem,

Recalling the existing international treaties relating to various aspects of the problem of international terrorism, *inter alia*, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, concluded at Montreal on 23 September 1971, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted in New York on 14 December 1973, the International Convention against the Taking of Hostages, adopted in New York on 17 December 1979, the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988, and the Convention on the Marking of Plastic Explosives for the Purpose of Detection, done at Montreal on 1 March 1991,

Welcoming the conclusion of regional agreements and mutually agreed declarations to combat and eliminate terrorism in all its forms and manifestations,

Convinced of the desirability of keeping under review the scope of existing international legal provisions to combat terrorism in all its forms and manifestations, with the aim of ensuring a comprehensive legal framework for the prevention and elimination of terrorism,

Solemnly declare the following:

I

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism, as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States;

2. Acts, methods and practices of terrorism constitute a grave violation of the purposes and principles of the United Nations, which may pose a threat to international peace and security, jeopardize friendly relations among States, hinder international cooperation and aim at the destruction of human rights, fundamental freedoms and the democratic bases of society;

3. Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them;

II

4. States, guided by the purposes and principles of the Charter of the United Nations and other relevant rules of international law, must refrain from organizing, instigating, assisting or participating in terrorist acts in territories of other States, or from acquiescing in or encouraging activities within their territories directed towards the commission of such acts;

5. States must also fulfil their obligations under the Charter of the United Nations and other provisions of international law with respect to combating international terrorism and are urged to take effective and resolute measures in accordance with the relevant provisions of international law and international standards of human rights for the speedy and final elimination of international terrorism, in particular:

(a) To refrain from organizing, instigating, facilitating, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens;

(b) To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of their national law;

(c) To endeavour to conclude special agreements to that effect on a bilateral, regional and multilateral basis, and to prepare, to that effect, model agreements on cooperation;

(d) To cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism;

(e) To take promptly all steps necessary to implement the existing international conventions on this subject to which they are parties, including the harmonization of their domestic legislation with those conventions;

(f) To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in subparagraph (a) above;

6. In order to combat effectively the increase in, and the growing international character and effects of, acts of terrorism, States should enhance their cooperation in this area through, in particular, systematizing the exchange of information concerning the prevention and combating of terrorism, as well as by effective implementation of the relevant international conventions and conclusion of mutual judicial assistance and extradition agreements on a bilateral, regional and multilateral basis;

7. In this context, States are encouraged to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter;

8. Furthermore States that have not yet done so are urged to consider, as a matter of priority, becoming parties to the international conventions and protocols relating to various aspects of international terrorism referred to in the preamble to the present Declaration;

III

9. The United Nations, the relevant specialized agencies and intergovernmental organizations and other relevant bodies must make every effort with a view to promoting measures to combat and eliminate acts of terrorism and to strengthening their role in this field;

10. The Secretary-General should assist in the implementation of the present Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

(a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by

international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;

(b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;

(c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;

(d) A review of existing possibilities within the United Nations system for assisting States in organizing workshops and training courses on combating crimes connected with international terrorism;

IV

11. All States are urged to promote and implement in good faith and effectively the provisions of the present Declaration in all its aspects;

12. Emphasis is placed on the need to pursue efforts aiming at eliminating definitively all acts of terrorism by the strengthening of international cooperation and progressive development of international law and its codification, as well as by enhancement of coordination between, and increase of the efficiency of, the United Nations and the relevant specialized agencies, organizations and bodies.

55. Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism

GENERAL ASSEMBLY RESOLUTION 51/210
OF 17 DECEMBER 1996

ANNEX

Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on Measures to Eliminate International Terrorism adopted by the General Assembly by its resolution 49/60 of 9 December 1994,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,

Deeply disturbed by the worldwide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

Underlining the importance of States developing extradition agreements or arrangements as necessary in order to ensure that those responsible for terrorist acts are brought to justice,

Noting that the Convention relating to the Status of Refugees, done at Geneva on 28 July 1951, does not provide a basis for the protection of perpetrators of terrorist acts, noting also in this context Articles 1, 2, 32 and 33 of the Convention, and emphasizing in this regard the need for States parties to ensure the proper application of the Convention,

Stressing the importance of full compliance by States with their obligations under the provisions of the 1951 Convention¹⁸ and the 1967 Protocol relating to the Status of Refugees, including the principle of non *refoulement* of refugees to places where their life or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group or political opinion, and affirming that the present Declaration does not affect the protection afforded under the terms of the Convention and Protocol and other provisions of international law,

Recalling Article 4 of the Declaration on Territorial Asylum adopted by the General Assembly by its resolution 2312 (XXII) of 14 December 1967,

Stressing the need further to strengthen international cooperation between States in order to prevent, combat and eliminate terrorism in all its forms and manifestations,

Solemnly declares the following:

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed, including those which jeopardize friendly relations among States and peoples and threaten the territorial integrity and security of States;

2. The States Members of the United Nations reaffirm that acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations; they declare that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

3. The States Members of the United Nations reaffirm that States should take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts, considering in this regard relevant information as to whether the asylum-seeker is subject to investigation for or is charged with or has been convicted of offences connected with terrorism and, after granting refugee status, for the purpose of ensuring that that status is not used for the purpose of preparing or organizing terrorist acts intended to be committed against other States or their citizens;

4. The States Members of the United Nations emphasize that asylum-seekers who are awaiting the processing of their asylum applications may not thereby avoid prosecution for terrorist acts;

5. The States Members of the United Nations reaffirm the importance of ensuring effective cooperation between Member States so that those who have participated in terrorist acts, including their financing, planning or incitement, are brought to justice; they stress their commitment, in conformity with the relevant provisions of international law, including international standards of human rights, to work together to prevent, combat and eliminate terrorism and to take all appropriate steps under their domestic laws either to extradite terrorists or to submit the cases to their competent authorities for the purpose of prosecution;

6. In this context, and while recognizing the sovereign rights of States in extradition matters, States are encouraged, when concluding or applying extradition agreements, not to regard as political offences excluded from the scope of those agreements offences connected with

terrorism which endanger or represent a physical threat to the safety and security of persons, whatever the motives which may be invoked to justify them;

7. States are also encouraged, even in the absence of a treaty, to consider facilitating the extradition of persons suspected of having committed terrorist acts, insofar as their national laws permit;

8. The States Members of the United Nations emphasize the importance of taking steps to share expertise and information about terrorists, their movements, their support and their weapons and to share information regarding the investigation and prosecution of terrorist acts.

56. The United Nations Global Counter-Terrorism Strategy

GENERAL ASSEMBLY, RESOLUTION 60/288
OF 8 SEPTEMBER 2006, ANNEX¹

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and reaffirming its role under the Charter, including on questions related to international peace and security,

Reiterating its strong condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security,

Reaffirming the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 51/210 of 17 December 1996, and the 2005 World Summit Outcome, in particular its section on terrorism,

Recalling all General Assembly resolutions on measures to eliminate international terrorism, including resolution 46/51 of 9 December 1991, and Security Council resolutions on threats to international peace and security caused by terrorist acts, as well as relevant resolutions of the General Assembly on the protection of human rights and fundamental freedoms while countering terrorism,

Recalling also that, in the 2005 World Summit Outcome, world leaders rededicated themselves to support all efforts to uphold the sovereign equality of all States, respect their territorial integrity and political independence, to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, to uphold the resolution of disputes by peaceful means and in conformity with the principles of justice and international law, the right to self-determination of peoples which remain

¹ See also General Assembly resolutions 62/272 of 5 September 2008 and 64/297 of 8 September 2010 on the Global Counter-Terrorism Strategy, and resolutions 68/282 of 29 June 2012, 68/276 of 13 June 2014, 70/291 of 1 July 2016 and 72/284 of 25 June 2018 on the United Nations Global Counter-Terrorism Strategy Review. See also resolution 64/235 of 24 December 2009 on the institutionalization of the Counter-Terrorism Implementation Task Force, resolution 66/10 of 18 November 2011 on the United Nations Counter-Terrorism Centre, and resolution 71/291 of 15 June 2017 on strengthening the capability of the United Nations system to assist Member States in implementing the United Nations Global Counter-Terrorism Strategy.

under colonial domination or foreign occupation, non-interference in the internal affairs of States, respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and the fulfilment in good faith of the obligations assumed in accordance with the Charter,

Recalling further the mandate contained in the 2005 World Summit Outcome that the General Assembly should develop without delay the elements identified by the Secretary-General for a counter-terrorism strategy, with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter terrorism, which also takes into account the conditions conducive to the spread of terrorism,

Reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Reaffirming also that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reaffirming further Member States' determination to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism, including by resolving the outstanding issues related to the legal definition and scope of the acts covered by the convention, so that it can serve as an effective instrument to counter terrorism,

Continuing to acknowledge that the question of convening a high-level conference under the auspices of the United Nations to formulate an international response to terrorism in all its forms and manifestations could be considered,

Recognizing that development, peace and security, and human rights are interlinked and mutually reinforcing,

Bearing in mind the need to address the conditions conducive to the spread of terrorism,

Affirming Member States' determination to continue to do all they can to resolve conflict, end foreign occupation, confront oppression, eradicate poverty, promote sustained economic growth, sustainable development, global prosperity, good governance, human rights for all and rule of law, improve intercultural understanding and ensure respect for all religions, religious values, beliefs or cultures,

1. *Expresses its appreciation* for the report entitled “Uniting against terrorism: recommendations for a global counter-terrorism strategy” submitted by the Secretary-General to the General Assembly;

2. *Adopts* the present resolution and its annex as the United Nations Global Counter-Terrorism Strategy (“the Strategy”);

3. *Decides*, without prejudice to the continuation of the discussion in its relevant committees of all their agenda items related to terrorism and counter-terrorism, to undertake the following steps for the effective follow-up of the Strategy:

(a) To launch the Strategy at a high-level segment of its sixty-first session;

(b) To examine in two years progress made in the implementation of the Strategy, and to consider updating it to respond to changes, recognizing that many of the measures contained in the Strategy can be achieved immediately, some will require sustained work through the coming few years and some should be treated as long-term objectives;

(c) To invite the Secretary-General to contribute to the future deliberations of the General Assembly on the review of the implementation and updating of the Strategy;

(d) To encourage Member States, the United Nations and other appropriate international, regional and subregional organizations to support the implementation of the Strategy, including through mobilizing resources and expertise;

(e) To further encourage non-governmental organizations and civil society to engage, as appropriate, on how to enhance efforts to implement the Strategy;

4. *Decides* to include in the provisional agenda of its sixty-second session an item entitled “The United Nations Global Counter-Terrorism Strategy”.

99th plenary meeting

8 September 2006

ANNEX

Plan of action

We, the States Members of the United Nations, resolve:

1. To consistently, unequivocally and strongly condemn terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security;

2. To take urgent action to prevent and combat terrorism in all its forms and manifestations and, in particular:

(a) To consider becoming parties without delay to the existing international conventions and protocols against terrorism, and implementing them, and to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism;

(b) To implement all General Assembly resolutions on measures to eliminate international terrorism and relevant General Assembly resolutions on the protection of human rights and fundamental freedoms while countering terrorism;

(c) To implement all Security Council resolutions related to international terrorism and to cooperate fully with the counter-terrorism subsidiary bodies of the Security Council in the fulfilment of their tasks, recognizing that many States continue to require assistance in implementing these resolutions;

3. To recognize that international cooperation and any measures that we undertake to prevent and combat terrorism must comply with our obligations under international law, including the Charter of the United Nations and relevant international conventions and protocols, in particular human rights law, refugee law and international humanitarian law.

I

Measures to address the conditions conducive to the spread of terrorism

We resolve to undertake the following measures aimed at addressing the conditions conducive to the spread of terrorism, including but not limited to prolonged unresolved conflicts, dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations of human rights, ethnic, national and religious discrimination, political exclusion, socio-economic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism:

1. To continue to strengthen and make best possible use of the capacities of the United Nations in areas such as conflict prevention, negotiation, mediation, conciliation, judicial settlement, rule of law, peacekeeping and peacebuilding, in order to contribute to the successful prevention and peaceful resolution of prolonged unresolved conflicts. We recognize that the peaceful resolution of such conflicts would contribute to strengthening the global fight against terrorism;

2. To continue to arrange under the auspices of the United Nations initiatives and programmes to promote dialogue, tolerance and understanding among civilizations, cultures, peoples and religions, and to promote mutual respect for and prevent the defamation of religions, religious values, beliefs and cultures. In this regard, we welcome the

launching by the Secretary-General of the initiative on the Alliance of Civilizations. We also welcome similar initiatives that have been taken in other parts of the world;

3. To promote a culture of peace, justice and human development, ethnic, national and religious tolerance and respect for all religions, religious values, beliefs or cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society. In this regard, we encourage the United Nations Educational, Scientific and Cultural Organization to play a key role, including through inter-faith and intra-faith dialogue and dialogue among civilizations;

4. To continue to work to adopt such measures as may be necessary and appropriate and in accordance with our respective obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct;

5. To reiterate our determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including the Millennium Development Goals. We reaffirm our commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all;

6. To pursue and reinforce development and social inclusion agendas at every level as goals in themselves, recognizing that success in this area, especially on youth unemployment, could reduce marginalization and the subsequent sense of victimization that propels extremism and the recruitment of terrorists;

7. To encourage the United Nations system as a whole to scale up the cooperation and assistance it is already conducting in the fields of rule of law, human rights and good governance to support sustained economic and social development;

8. To consider putting in place, on a voluntary basis, national systems of assistance that would promote the needs of victims of terrorism and their families and facilitate the normalization of their lives. In this regard, we encourage States to request the relevant United Nations entities to help them to develop such national systems. We will also strive to promote international solidarity in support of victims and foster the involvement of civil society in a global campaign against terrorism and for its condemnation. This could include exploring at the General Assembly the possibility of developing practical mechanisms to provide assistance to victims.

II

Measures to prevent and combat terrorism

We resolve to undertake the following measures to prevent and combat terrorism, in particular by denying terrorists access to the means to carry out their attacks, to their targets and to the desired impact of their attacks:

1. To refrain from organizing, instigating, facilitating, participating in, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that our respective territories are not used for terrorist installations or training camps, or for the preparation or organization of terrorist acts intended to be committed against other States or their citizens;

2. To cooperate fully in the fight against terrorism, in accordance with our obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides safe havens;

3. To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of national and international law, in particular human rights law, refugee law and international humanitarian law. We will endeavour to conclude and implement to that effect mutual judicial assistance and extradition agreements and to strengthen cooperation between law enforcement agencies;

4. To intensify cooperation, as appropriate, in exchanging timely and accurate information concerning the prevention and combating of terrorism;

5. To strengthen coordination and cooperation among States in combating crimes that might be connected with terrorism, including drug trafficking in all its aspects, illicit arms trade, in particular of small arms and light weapons, including man-portable air defence systems, money-laundering and smuggling of nuclear, chemical, biological, radiological and other potentially deadly materials;

6. To consider becoming parties without delay to the United Nations Convention against Transnational Organized Crime and to the three protocols supplementing it, and implementing them;

7. To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum-seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in section II, paragraph 1, above;

8. To encourage relevant regional and subregional organizations to create or strengthen counter-terrorism mechanisms or centres. Should they require cooperation and assistance to this end, we encourage the Counter-Terrorism Committee and its Executive Directorate and, where consistent with their existing mandates, the United Nations Office on Drugs and Crime and the International Criminal Police Organization, to facilitate its provision;

9. To acknowledge that the question of creating an international centre to fight terrorism could be considered, as part of international efforts to enhance the fight against terrorism;

10. To encourage States to implement the comprehensive international standards embodied in the Forty Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing of the Financial Action Task Force, recognizing that States may require assistance in implementing them;

11. To invite the United Nations system to develop, together with Member States, a single comprehensive database on biological incidents, ensuring that it is complementary to the biocrimes database contemplated by the International Criminal Police Organization. We also encourage the Secretary-General to update the roster of experts and laboratories, as well as the technical guidelines and procedures, available to him for the timely and efficient investigation of alleged use. In addition, we note the importance of the proposal of the Secretary-General to bring together, within the framework of the United Nations, the major biotechnology stakeholders, including industry, the scientific community, civil society and Governments, into a common programme aimed at ensuring that biotechnology advances are not used for terrorist or other criminal purposes but for the public good, with due respect for the basic international norms on intellectual property rights;

12. To work with the United Nations with due regard to confidentiality, respecting human rights and in compliance with other obligations under international law, to explore ways and means to:

- (a) Coordinate efforts at the international and regional levels to counter terrorism in all its forms and manifestations on the Internet;
- (b) Use the Internet as a tool for countering the spread of terrorism, while recognizing that States may require assistance in this regard;

13. To step up national efforts and bilateral, subregional, regional and international cooperation, as appropriate, to improve border and customs controls in order to prevent and detect the movement of terrorists and prevent and detect the illicit traffic in, *inter alia*, small arms and light weapons, conventional ammunition and explosives, and nuclear, chemical, biological or radiological weapons and materials, while recognizing that States may require assistance to that effect;

14. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to work with States, at their request, to facilitate the adoption of legislation and administrative measures to implement the terrorist travel related obligations and to identify best practices in this area, drawing whenever possible on those developed by technical international organizations, such as the International Civil Aviation Organization, the World Customs Organization and the International Criminal Police Organization;

15. To encourage the Committee established pursuant to Security Council resolution 1267 (1999) to continue to work to strengthen the effectiveness of the travel ban under the United Nations sanctions regime against Al Qaida and the Taliban and associated individuals and entities, as well as to ensure, as a matter of priority, that fair and transparent procedures exist for placing individuals and entities on its lists, for removing them and for granting humanitarian exceptions. In this regard, we encourage States to share information, including by widely distributing the International Criminal Police Organization/United Nations special notices concerning people subject to this sanctions regime;

16. To step up efforts and cooperation at every level, as appropriate, to improve the security of manufacturing and issuing identity and travel documents and to prevent and detect their alteration or fraudulent use, while recognizing that States may require assistance in doing so. In this regard, we invite the International Criminal Police Organization to enhance its database on stolen and lost travel documents, and we will endeavour to make full use of this tool, as appropriate, in particular by sharing relevant information;

17. To invite the United Nations to improve coordination in planning a response to a terrorist attack using nuclear, chemical, biological or radiological weapons or materials, in particular by reviewing and improving the effectiveness of the existing inter-agency coordination mechanisms for assistance delivery, relief operations and victim support, so that all States can receive adequate assistance. In this regard, we invite the General Assembly and the Security Council to develop guidelines for the necessary cooperation and assistance in the event of a terrorist attack using weapons of mass destruction;

18. To step up all efforts to improve the security and protection of particularly vulnerable targets, such as infrastructure and public places, as well as the response to terrorist attacks and other disasters, in particular in the area of civil protection, while recognizing that States may require assistance to this effect.

III

Measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard

We recognize that capacity-building in all States is a core element of the global counter-terrorism effort, and resolve to undertake the following measures to develop State capacity to prevent and combat terrorism and enhance coordination and coherence within the United Nations system in promoting international cooperation in countering terrorism:

1. To encourage Member States to consider making voluntary contributions to United Nations counter-terrorism cooperation and technical assistance projects, and to explore additional sources of funding in this regard. We also encourage the United Nations to consider reaching out to the private sector for contributions to capacity-building programmes, in particular in the areas of port, maritime and civil aviation security;

2. To take advantage of the framework provided by relevant international, regional and subregional organizations to share best practices in counter-terrorism capacity-building, and to facilitate their contributions to the international community's efforts in this area;

3. To consider establishing appropriate mechanisms to rationalize States' reporting requirements in the field of counter-terrorism and eliminate duplication of reporting requests, taking into account and respecting the different mandates of the General Assembly, the Security Council and its subsidiary bodies that deal with counter-terrorism;

4. To encourage measures, including regular informal meetings, to enhance, as appropriate, more frequent exchanges of information on cooperation and technical assistance among Member States, United Nations bodies dealing with counter-terrorism, relevant specialized agencies, relevant international, regional and subregional organizations and the donor community, to develop States' capacities to implement relevant United Nations resolutions;

5. To welcome the intention of the Secretary-General to institutionalize, within existing resources, the Counter-Terrorism Implementation Task Force within the Secretariat in order to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

6. To encourage the Counter-Terrorism Committee and its Executive Directorate to continue to improve the coherence and efficiency of technical assistance delivery in the field of counter-terrorism, in particular by strengthening its dialogue with States and relevant international, regional and subregional organizations and working closely,

including by sharing information, with all bilateral and multilateral technical assistance providers;

7. To encourage the United Nations Office on Drugs and Crime, including its Terrorism Prevention Branch, to enhance, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and relevant United Nations resolutions;

8. To encourage the International Monetary Fund, the World Bank, the United Nations Office on Drugs and Crime and the International Criminal Police Organization to enhance cooperation with States to help them to comply fully with international norms and obligations to combat money-laundering and the financing of terrorism;

9. To encourage the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons to continue their efforts, within their respective mandates, in helping States to build capacity to prevent terrorists from accessing nuclear, chemical or radiological materials, to ensure security at related facilities and to respond effectively in the event of an attack using such materials;

10. To encourage the World Health Organization to step up its technical assistance to help States to improve their public health systems to prevent and prepare for biological attacks by terrorists;

11. To continue to work within the United Nations system to support the reform and modernization of border management systems, facilities and institutions at the national, regional and international levels;

12. To encourage the International Maritime Organization, the World Customs Organization and the International Civil Aviation Organization to strengthen their cooperation, work with States to identify any national shortfalls in areas of transport security and provide assistance, upon request, to address them;

13. To encourage the United Nations to work with Member States and relevant international, regional and subregional organizations to identify and share best practices to prevent terrorist attacks on particularly vulnerable targets. We invite the International Criminal Police Organization to work with the Secretary-General so that he can submit proposals to this effect. We also recognize the importance of developing public-private partnerships in this area.

IV

Measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism

We resolve to undertake the following measures, reaffirming that the promotion and protection of human rights for all and the rule of law is essential to all components of the Strategy, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism:

1. To reaffirm that General Assembly resolution 60/158 of 16 December 2005 provides the fundamental framework for the “Protection of human rights and fundamental freedoms while countering terrorism”;

2. To reaffirm that States must ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular human rights law, refugee law and international humanitarian law;

3. To consider becoming parties without delay to the core international instruments on human rights law, refugee law and international humanitarian law, and implementing them, as well as to consider accepting the competence of international and relevant regional human rights monitoring bodies;

4. To make every effort to develop and maintain an effective and rule of law-based national criminal justice system that can ensure, in accordance with our obligations under international law, that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice, on the basis of the principle to extradite or prosecute, with due respect for human rights and fundamental freedoms, and that such terrorist acts are established as serious criminal offences in domestic laws and regulations. We recognize that States may require assistance in developing and maintaining such effective and rule of law-based criminal justice systems, and we encourage them to resort to the technical assistance delivered, *inter alia*, by the United Nations Office on Drugs and Crime;

5. To reaffirm the important role of the United Nations system in strengthening the international legal architecture by promoting the rule of law, respect for human rights and effective criminal justice systems, which constitute the fundamental basis of our common fight against terrorism;

6. To support the Human Rights Council and to contribute, as it takes shape, to its work on the question of the promotion and protection of human rights for all in the fight against terrorism;

7. To support the strengthening of the operational capacity of the Office of the United Nations High Commissioner for Human Rights, with a particular emphasis on increasing field operations and presences. The Office should continue to play a lead role in examining the question of protecting human rights while countering terrorism, by making general recommendations on the human rights obligations of States and providing them with assistance and advice, in particular in the area of raising awareness of international human rights law among national law-enforcement agencies, at the request of States;

8. To support the role of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The Special Rapporteur should continue to support the efforts of States and offer concrete advice by corresponding with Governments, making country visits, liaising with the United Nations and regional organizations and reporting on these issues.

57. Protection of Human Rights and Fundamental Freedoms while Countering Terrorism

GENERAL ASSEMBLY RESOLUTION 72/180
OF 19 DECEMBER 2017²

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the Universal Declaration of Human Rights,

Reaffirming further the Vienna Declaration and Programme of Action,

Reaffirming the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Reaffirming also that States are under the obligation to respect, protect and fulfil all human rights and fundamental freedoms of all persons,

Reaffirming further that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reiterating the important contribution of measures taken at all levels against terrorism, consistent with international law, in particular international human rights, refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights and fundamental freedoms, as well as the need to continue this fight, including by strengthening international cooperation and the role of the United Nations in this respect,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthening international cooperation to prevent and combat terrorism, and to deny impunity and pursue accountability in relation to the perpetrators of terrorist acts,

Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism,

² See also resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December 2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010, 66/171 of 19 December 2011, 68/178 of 18 December 2013 and 70/148 of 17 December 2015.

as well as violations of international refugee law and international humanitarian law,

Expressing its concern at the increasing use, in a globalized society, by terrorists and their supporters, of information and communications technologies, in particular the Internet and other media, and the use of such technologies to commit, incite, recruit for, fund or plan terrorist acts, noting the importance of cooperation among stakeholders in the implementation of the United Nations Global Counter-Terrorism Strategy and the comprehensive international framework to counter terrorist narratives, including among Member States, international, regional and subregional organizations, the private sector and civil society, to address this issue, while respecting human rights and fundamental freedoms and complying with international law and the purposes and principles of the Charter, and reiterating that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, dialogue among peoples and peace,

Stressing that all measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights law, international refugee law and international humanitarian law,

Stressing also that a criminal justice system based on respect for human rights and the rule of law, including due process and fair trial guarantees, is one of the best means for effectively countering terrorism and ensuring accountability,

Recognizing that respect for all human rights, respect for democracy and respect for the rule of law are interrelated and mutually reinforcing,

Recalling its resolution 70/148 of 17 December 2015, Human Rights Council resolutions 33/21 of 30 September 2016 and 35/34 of 23 June 2017 and other relevant resolutions and decisions, and welcoming the efforts of all relevant stakeholders to implement those resolutions,

Recalling also its resolution 60/288 of 8 September 2006, by which it adopted the United Nations Global Counter-Terrorism Strategy, and its resolution 70/291 of 1 July 2016 on the review of the United Nations Global Counter-Terrorism Strategy, in which it called upon Member States and the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism, reaffirming that the promotion and protection of human rights for all and the rule of law are essential to preventing and combating terrorism, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals but are complementary and mutually reinforcing,

and stressing the need to promote and protect the rights of victims of terrorism,

Recalling further Human Rights Council resolution 31/3 of 23 March 2016, by which the Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights law, international refugee law and international humanitarian law;

2. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with assistance and other appropriate measures to protect, respect and promote their human rights;

3. *Expresses serious concern* at the occurrence of violations of human rights and fundamental freedoms, as well as violations of international refugee law and international humanitarian law, committed in the context of countering terrorism;

4. *Reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights, to respect certain rights as nonderogable under any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, underlines the exceptional and temporary nature of any such derogations, and in this regard calls upon States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

5. *Urges* States, while countering terrorism:

(a) To fully comply with their obligations under international law, in particular international human rights law, international refugee law and international humanitarian law, with regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

(b) To respect, protect and fulfil the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and to ensure that measures taken to counter terrorism are not discriminatory on any ground;

(c) To take all steps necessary to ensure that persons deprived of liberty, regardless of the place of arrest or detention, benefit from the guarantees to which they are entitled under international human rights law and international humanitarian law, including the review of the detention and other fundamental judicial guarantees;

- (d) To ensure that no form of deprivation of liberty places a detained person outside the protection of the law and to respect the safeguards concerning the liberty, security and dignity of the person, in accordance with international law, including international human rights law and international humanitarian law;
- (e) To take all steps necessary to ensure the right of anyone arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power and the entitlement to trial within a reasonable time or release;
- (f) To respect the right of persons to equality before the law, courts and tribunals and to a fair trial as provided for in international law, including international human rights law, such as the International Covenant on Civil and Political Rights, and international humanitarian law and international refugee law;
- (g) To safeguard the work of civil society by ensuring that counter-terrorism laws and measures are consistent with and are applied in a manner that fully respects human rights, particularly the rights to freedom of expression, peaceful assembly and association;
- (h) To acknowledge that the active participation of civil society can reinforce ongoing governmental efforts to protect human rights and fundamental freedoms while countering terrorism and to ensure that measures to counter terrorism and to preserve national security do not hinder its work and safety and are in compliance with their obligations under international law;
- (i) To safeguard the right to privacy in accordance with international law, in particular international human rights law, and to take measures to ensure that interferences with or restrictions on that right are not arbitrary, are adequately regulated by law and are subject to effective oversight and appropriate redress, including through judicial review or other means;
- (j) To review their procedures, practices and legislation regarding the surveillance and interception of communications and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law, and to take measures to ensure that interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable for the pursuance of legitimate aims;

- (k) To protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of these rights;
- (l) To ensure that guidelines and practices in all border control operations and other pre-entry mechanisms are clear and fully respect their obligations under international law, particularly international refugee and human rights law, towards persons seeking international protection;
- (m) To fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;
- (n) To refrain from returning persons, including in cases related to terrorism, to their countries of origin or to a third State whenever such transfer would be contrary to their obligations under international law, in particular international human rights, humanitarian and refugee law, including in cases where there are substantial grounds for believing that they would be in danger of subjection to torture, or where their lives or freedom would be threatened, in violation of international refugee law, on account of their race, religion, sex, nationality, membership in a particular social group or political opinion, bearing in mind the obligations that States may have to prosecute individuals not returned and, in that case, to adhere to the principle of extradite or prosecute;
- (o) To ensure that their laws criminalizing acts of terrorism are accessible, formulated with precision, non-discriminatory, non-retroactive and in accordance with international law, including international human rights law;
- (p) Not to resort to profiling based on stereotypes founded on grounds of discrimination prohibited by international law, including on racial, ethnic and/or religious grounds;
- (q) To ensure that the interrogation methods used against terrorism suspects are consistent with their international obligations and are reviewed on a regular basis;
- (r) To ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to a fair procedure for seeking full, effective and enforceable remedy within a reasonable time and that, where such violations have been established, victims receive an adequate, effective and prompt rem-

edy, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence;

(s) To ensure due process guarantees, consistent with all relevant provisions of the Universal Declaration of Human Rights, and their obligations under the International Covenant on Civil and Political Rights, the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, and the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto in their respective fields of applicability;

(t) To ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures, and to promote the full and effective participation of women in those processes;

(u) To ensure that any measures taken or means employed to counter terrorism, including the use of remotely piloted aircraft, comply with their obligations under international law, including the Charter of the United Nations, human rights law and international humanitarian law, as applicable, in particular the principles of distinction and proportionality;

(v) To take into account relevant United Nations resolutions and decisions on human rights, and encourages them to give due consideration to the recommendations of the special procedures and mechanisms of the Human Rights Council and to the relevant comments and views of United Nations human rights treaty bodies;

(w) To undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of possible breaches of their obligations under international human rights law, with a view to ensuring accountability;

6. *Calls upon* States to protect the human rights of victims of terrorism, including with regard to their access to justice;

7. *Urges* States, while undertaking counter-terrorism activities, to respect their international obligations regarding humanitarian actors and to recognize the key role played by humanitarian organizations in areas where terrorist groups are active;

8. *Condemns* the recruitment and use of children in acts of terror and the recruitment and use of children, in violation of applicable international law, in measures taken to counter terrorism, and calls upon States to protect children pursuant to international human rights law and international humanitarian law;

9. *Recognizes* the importance of the International Convention for the Protection of All Persons from Enforced Disappearance, the implementation of which will make a significant contribution in support of the rule of law in countering terrorism, including by prohibiting places

of secret detention, and encourages all States that have not yet done so to consider signing, ratifying or acceding to the Convention;

10. *Urges* all States that have not yet done so to sign, ratify, accede to or implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and encourages States to consider ratifying as a matter of priority the Optional Protocol thereto, the implementation of which will make a significant contribution in support of the rule of law in countering terrorism;

11. *Recognizes* the important role of education, employment, inclusion and respect for cultural diversity in helping to prevent terrorism and violent extremism conducive to terrorism and in preventing and combating discrimination, and welcomes the engagement of relevant United Nations agencies with Member States to implement strategies to prevent violent extremism conducive to terrorism through education;

12. *Calls upon* the United Nations entities involved in supporting counter-terrorism efforts to respect and continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

13. *Encourages* the Office of Counter-Terrorism to enhance coordination and coherence, including through working effectively with the Counter-Terrorism Committee Executive Directorate, in supporting the efforts of Member States to implement the United Nations Global Counter-Terrorism Strategy, so as to ensure that their counter-terrorism measures are rooted in respect for their obligations under international human rights law, international refugee law and international humanitarian law;

14. *Recognizes* the need to continue to ensure that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the ongoing efforts of the Security Council in support of these objectives, including by supporting the enhanced role of the Office of the Ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of these sanctions in countering terrorism;

15. *Urges* States, while ensuring full compliance with their international obligations, to ensure the rule of law and to include adequate human rights guarantees in their national procedures for the listing and delisting of individuals and entities with a view to combating terrorism;

16. *Requests* the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism to continue to make recommendations, in the context of her mandate, with regard to preventing, combating and redressing violations of human rights and fundamental

freedoms in the context of countering terrorism, and to continue to report and engage in interactive dialogues on an annual basis with the General Assembly and the Human Rights Council in accordance with their programmes of work;

17. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of her mandated tasks and duties;

18. *Welcomes* the work of the United Nations High Commissioner for Human Rights to implement the mandate given to him by the General Assembly in its resolution 60/158 of 16 December 2005, and requests him to continue his efforts in this regard;

19. *Takes note with appreciation* of the report of the Secretary-General on protecting human rights and fundamental freedoms while countering terrorism;

20. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, which addresses, *inter alia*, human rights in the context of preventing and countering violent extremism;

21. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur to continue to contribute to the work of the Office of Counter-Terrorism through, *inter alia*, participation in the Counter-Terrorism Implementation Task Force;

22. *Encourages* the Security Council, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate to strengthen, within their mandates, the links, cooperation and dialogue with relevant human rights bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism;

23. *Calls upon* States and other relevant actors, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy, which, *inter alia*, reaffirms respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism;

24. *Requests* the Office of Counter-Terrorism to continue its efforts to ensure that the United Nations can better coordinate and enhance its support to Member States in their efforts to comply with their obligations under international law, including international human rights, refugee and humanitarian law, while countering terrorism, and encourages the Office to further incorporate a human rights perspective into its work;

25. *Encourages* relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those participating in the Counter-Terrorism Implementation Task Force, which provide technical assistance upon request, to step up their efforts to ensure respect for international human rights law,

international refugee law and international humanitarian law, as well as the rule of law, as an element of technical assistance, including in the adoption and implementation of legislative and other measures by States;

26. *Calls upon* international, regional and subregional organizations to strengthen information-sharing, coordination and cooperation in promoting the protection of human rights, fundamental freedoms and the rule of law while countering terrorism;

27. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Human Rights Council and to the General Assembly at its seventy-fourth session.



PART V

**UNITED NATIONS SECURITY COUNCIL
(SELECTED DOCUMENTS)**



THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS: GENERAL ISSUES

58. Resolution 1269 (1999)

THE RESPONSIBILITY OF THE SECURITY COUNCIL IN THE
MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY
(INTERNATIONAL COOPERATION IN THE FIGHT AGAINST TERRORISM)

*Adopted by the Security Council at its 4053rd meeting,
on 19 October 1999*

The Security Council,

Deeply concerned by the increase in acts of international terrorism which endangers the lives and well-being of individuals worldwide as well as the peace and security of all States,

Condemning all acts of terrorism, irrespective of motive, wherever and by whomever committed, Mindful of all relevant resolutions of the General Assembly, including resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism,

Emphasizing the necessity to intensify the fight against terrorism at the national level and to strengthen, under the auspices of the United Nations, effective international cooperation in this field on the basis of the principles of the Charter of the United Nations and norms of international law, including respect for international humanitarian law and human rights, Supporting the efforts to promote universal participation in and implementation of the existing international anti-terrorist conventions, as well as to develop new international instruments to counter the terrorist threat,

Commending the work done by the General Assembly, relevant United Nations organs and specialized agencies and regional and other organizations to combat international terrorism, Determined to contribute, in accordance with the Charter of the United Nations, to the efforts to combat terrorism in all its forms,

Reaffirming that the suppression of acts of international terrorism, including those in which States are involved, is an essential contribution to the maintenance of international peace and security,

1. *Unequivocally condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security;

2. *Calls upon* all States to implement fully the international anti-terrorist conventions to which they are parties, encourages all States to consider as a matter of priority adhering to those to which they are not parties, and encourages also the speedy adoption of the pending conventions;

3. *Stresses* the vital role of the United Nations in strengthening international cooperation in combating terrorism and, emphasizes the importance of enhanced coordination among States, international and regional organizations;

4. *Calls upon* all States to take, *inter alia*, in the context of such cooperation and coordination, appropriate steps to:

- cooperate with each other, particularly through bilateral and multilateral agreements and arrangements, to prevent and suppress terrorist acts, protect their nationals and other persons against terrorist attacks and bring to justice the perpetrators of such acts;
- prevent and suppress in their territories through all lawful means the preparation and financing of any acts of terrorism;
- deny those who plan, finance or commit terrorist acts safe havens by ensuring their apprehension and prosecution or extradition;
- take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts;
- exchange information in accordance with international and domestic law, and cooperate on administrative and judicial matters in order to prevent the commission of terrorist acts;

5. *Requests* the Secretary-General, in his reports to the General Assembly, in particular submitted in accordance with its resolution 50/53 on measures to eliminate international terrorism, to pay special attention to the need to prevent and fight the threat to international peace and security as a result of terrorist activities;

6. *Expresses* its readiness to consider relevant provisions of the reports mentioned in paragraph 5 above and to take necessary steps in accordance with its responsibilities under the Charter of the United Nations in order to counter terrorist threats to international peace and security;

7. *Decides* to remain seized of this matter.

59. Resolution 1373 (2001)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (ESTABLISHMENT OF COUNTER-TERRORISM COMMITTEE (CTC))

*Adopted by the Security Council at its 4385th meeting,
on 28 September 2001*

The Security Council,

Reaffirming its resolutions 1269 (1999) of 19 October 1999 and 1368 (2001) of 12 September 2001,

Reaffirming also its unequivocal condemnation of the terrorist attacks which took place in New York, Washington, D.C. and Pennsylvania on 11 September 2001, and expressing its determination to prevent all such acts,

Reaffirming further that such acts, like any act of international terrorism, constitute a threat to international peace and security,

Reaffirming the inherent right of individual or collective self-defence as recognized by the Charter of the United Nations as reiterated in resolution 1368 (2001),

Reaffirming 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,

Deeply concerned by the increase, in various regions of the world, of acts of terrorism motivated by intolerance or extremism,

Calling on States to work together urgently to prevent and suppress terrorist acts, including through increased cooperation and full implementation of the relevant international conventions relating to terrorism,

Recognizing the need for States to complement international cooperation by taking additional measures to prevent and suppress, in their territories through all lawful means, the financing and preparation of any acts of terrorism,

Reaffirming the principle established by the General Assembly in its declaration of October 1970 (resolution 2625 (XXV)) and reiterated by the Security Council in its resolution 1189 (1998) of 13 August 1998, namely that every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall:

- (a) Prevent and suppress the financing of terrorist acts;
- (b) Criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;
- (c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;
- (d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

2. *Decides* also that all States shall:

- (a) Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;
- (b) Take the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information;
- (c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;
- (d) Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;
- (e) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that, in addition to any other measures against them, such terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts;

(f) Afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings;

(g) Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls upon* all States to:

(a) Find ways of intensifying and accelerating the exchange of operational information, especially regarding actions or movements of terrorist persons or networks; forged or falsified travel documents; traffic in arms, explosives or sensitive materials; use of communications technologies by terrorist groups; and the threat posed by the possession of weapons of mass destruction by terrorist groups;

(b) Exchange information in accordance with international and domestic law and cooperate on administrative and judicial matters to prevent the commission of terrorist acts;

(c) Cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;

(d) Become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999;

(e) Increase cooperation and fully implement the relevant international conventions and protocols relating to terrorism and Security Council resolutions 1269 (1999) and 1368 (2001);

(f) Take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts;

(g) Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

4. *Notes with concern* the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms-trafficking, and illegal movement of nuclear, chemical, biological and other potentially deadly materials, and in this regard emphasizes the need to enhance coordination of efforts

on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security;

5. *Declares* that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to monitor implementation of this resolution, with the assistance of appropriate expertise, and calls upon all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement this resolution;

7. *Directs* the Committee to delineate its tasks, submit a work programme within 30 days of the adoption of this resolution, and to consider the support it requires, in consultation with the Secretary-General;

8. *Expresses* its determination to take all necessary steps in order to ensure the full implementation of this resolution, in accordance with its responsibilities under the Charter;

9. *Decides* to remain seized of this matter.

60. Resolution 2395 (2017)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (RENEWING THE MANDATE OF THE COUNTER-TERRORISM EXECUTIVE DIRECTORATE (CTED))¹

*Adopted by the Security Council at its 8146th meeting,
on 21 December 2017*

The Security Council,

Recalling, in particular, resolution 1535 (2004), resolution 1787 (2007), resolution 1805 (2008), resolution 1963 (2010), and resolution 2129 (2013), which pertain to the Counterterrorism Committee Executive Directorate (CTED), and *reaffirming* the crucial role of its Counterterrorism Committee (CTC) and CTED in ensuring the full implementation of resolution 1373 (2001), and reaffirming its resolutions 1267 (1999), 1325 (2000), 1368 (2001), 1566 (2004), 1624 (2005), 1894 (2009), 2106 (2013), 2122 (2013), 2133 (2014), 2150 (2014), 2170 (2014), 2178 (2014), 2185 (2014), 2195 (2015), 2199 (2015), 2220 (2015), 2242 (2015), 2249 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016), 2341 (2017), 2347 (2017), 2354 (2017), 2368 (2017), 2370 (2017), 2379 (2017), 2388 (2017), and its relevant presidential statements,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Recognizing that terrorism poses a threat to international peace and security and that countering this threat requires collective efforts on national, regional and international levels on the basis of respect for international law and the Charter of the United Nations,

Recognizing that terrorism will not be defeated by military force, law enforcement measures, and intelligence operations alone, and *underlining* the need to address the conditions conducive to the spread of terrorism, as outlined in Pillars I and IV of the United Nations Global Counterterrorism Strategy (A/RES/60/288) including, but not limited

¹ See also Security Council resolution 1535 (2004) of 26 March 2004 on the revitalization of the Counter-Terrorism Committee and the establishment of the Counter-Terrorism Executive Directorate (CTED), and resolutions 1787 (2007) of 10 December 2007, 1805 (2008) of 20 March 2008. See also resolutions 1963 (2010) of 20 December 2010 and 2129 (2013) of 17 December 2013 extending the mandate of CTED.

to, the need to strengthen efforts for the successful prevention and peaceful resolution of prolonged conflict, and the need to promote the rule of law, the protection of human rights and fundamental freedoms, good governance, tolerance, and inclusiveness to offer a viable alternative to those who could be susceptible to terrorist recruitment and to radicalization leading to violence,

Reaffirming that the promotion and protection of human rights for all and the rule of law are essential components of counterterrorism, and recognizing that effective counterterrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism,

Reaffirming that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee, and international humanitarian law, and *underscoring* that effective counterterrorism measures and respect for human rights, fundamental freedoms, and the rule of law are complementary and mutually reinforcing, and are an essential part of a successful counterterrorism effort, and noting the importance of respect for the rule of law so as to effectively prevent and combat terrorism,

Reaffirming that terrorism should not be associated with any religion, nationality, civilization, or group,

Stressing that Member States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism,

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Reaffirming its call upon all States to become party to the international counterterrorism conventions and protocols as soon as possible, and to fully implement their obligations under those to which they are a party,

Underscoring the central role of the United Nations in the global fight against terrorism and *welcoming* the fifth review of the United Nations Global Counterterrorism Strategy (GCTS) (document A/RES/70/291) of 1 July 2016, which affirmed the importance of integrated and balanced implementation of all four pillars of the GCTS, and *expressing support* for the creation and activities of the United Nations Office of Counterterrorism (UNOCT), in accordance with General Assembly resolution 71/291 of 15 June 2017, and its central role in promoting the balanced implementation of the GCTS,

Underscoring the importance of strong coordination and cooperation between CTED and UNOCT, as they work within their mandates and in their distinct roles to ensure effective United Nations engagement

with Member States to improve the implementation of the GCTS in a balanced manner as well as other counterterrorism resolutions, and to ensure effective United Nations engagement with other relevant international, regional, and sub-regional organizations, and key counterterrorism partners such as the Global Counterterrorism Forum (GCTF) and relevant civil society, academia, think tanks, and the private sector, and *noting* the importance of engaging, as appropriate, with women-, youth-, and locally-focused entities,

Expressing grave concern that foreign terrorist fighters (FTFs) who have joined entities such as ISIL, also known as Da'esh, the Al-Nusrah Front and other cells, affiliates, splinter groups or derivatives of ISIL or Al-Qaida, may be seeking to return to their countries of origin or nationality, or to relocate to third countries, and *recalling* that all States shall in accordance with their relevant international obligations, including international human rights law, take specific actions to address the threat posed by FTFs and *underscoring* the urgent need to implement fully and immediately resolutions 2178,

Welcoming recent developments and initiatives at the international, regional, and subregional levels to prevent and suppress international terrorism, including the CTC's 2015 Madrid Guiding Principles,

Reiterating further the obligation of Member States to prevent the movement of terrorists or terrorist groups by, *inter alia*, effective border controls, and, in this context, urging Member States to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists and financing that would support terrorists and terrorist groups, and *underlining* that safe havens provided to terrorists continue to be a significant concern and that all Member States must cooperate fully in the fight against terrorism in order to find, deny safe haven to, and bring to justice, extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens,

Stressing that the development and maintenance of fair and effective criminal justice systems, with full respect for and commitment to human rights and fundamental freedoms within a rule of law framework, must be central to any successful strategy to prevent and counter terrorism, *noting* the importance of Member State perspectives, and, *noting* the important role, leadership in capacity building, upon the request of Member States, and expertise of the United Nations Office on Drugs and Crime (UNODC), the United Nations Interregional Crime and Justice Research Institute (UNICRI), in coordination with other relevant United Nations agencies and relevant stakeholders, and *encouraging* CTED to cooperate closely with these entities,

Expressing concern that terrorist groups are actively seeking ways to defeat or circumvent aviation security, and *affirming* the role of the International Civil Aviation Organization (ICAO) as the United Nations organization responsible for developing international aviation security standards, monitoring their implementation by States and its role in assisting states in complying with these standards, and *welcoming* the approval by ICAO of the Global Aviation Security Plan as the global framework for progressive aviation security enhancement, and *encouraging* CTED to cooperate closely with ICAO,

Recognizing the challenges faced by Member States in the management of suspected and convicted terrorists in custody, encouraging Member States to collaborate and share best practices regarding well-managed custodial environments where human rights are respected and efforts to rehabilitate and reintegrate convicted terrorists are made, and noting the work in this regard of UNODC, UNICRI, and other relevant stakeholders,

Expressing concern regarding the connection, in some cases, between terrorism and transnational organized crime, including illicit trafficking in drugs, arms, and persons, as well as money-laundering, and emphasizing the need to enhance coordination of efforts at the local, national, subregional, regional, and international levels to respond to this serious challenge, in accordance with international law, and in the context of criminal justice and law enforcement systems with full respect for human rights, fundamental freedoms, and the rule of law,

Stressing the need to effectively counter the ways that ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities use their narratives to incite and recruit others to commit terrorist acts, and further recalling in this regard resolution 2354 (2017) and the “Comprehensive International Framework to Counter Terrorist Narratives” (S/2017/375) with recommended guidelines and good practices,

Reiterating the obligation of Member States to prevent and suppress the financing of terrorist acts, and criminalize the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts, and *reaffirming* also the obligation of Member States to freeze without delay funds and other financial assets or economic resources of persons or entities who commit, or attempt to commit terrorist acts or participate in or facilitate the commission of terrorist acts, and *reaffirming* further the obligation of Member States to prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of terrorist organizations or individual terrorists for any purpose,

including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons,

Acknowledging the important work on countering the financing of terrorism of United Nations entities and other multilateral bodies and forums, including the Financial Action Task Force (FATF) and FATF-style regional bodies, and *encouraging* CTED to cooperate closely with these entities,

Recalling its decision that States shall eliminate the supply of weapons, including small arms and light weapons, to terrorists, as well as its calls for States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional and international levels, and, in this regard, *urging* States to fully implement measures contained in resolution 2370 (2017),

Recognizing the need for Member States to prevent, using a risk-based approach, the abuse of non-governmental, non-profit and charitable organizations by and for terrorists, and calling upon non-governmental, non-profit, and charitable organizations to prevent and oppose, as appropriate, attempts by terrorists to abuse their status through risk mitigation measures, while recalling the importance of fully respecting the rights to freedom of expression and association of individuals in civil society and freedom of religion or belief, and noting the relevant recommendation and guidance documents of the FATF, and reiterating that States should identify and take effective and proportionate actions against non-profit organizations that either are exploited by, or knowingly support, terrorists or terrorist organizations, taking into account the specifics of the case,

Noting the work of the GCTF, in support of the balanced implementation of the GCTS, in particular its publication of several framework documents and good practices, including in the areas of countering violent extremism as conducive to terrorism, border security, soft targets, individuals radicalized to violence or directed by foreign terrorists, victims, criminal justice and the rule of law, returning and relocating foreign terrorist fighters and family members who travel with them, home-grown terrorists, capacity building in Africa, prosecution, rehabilitation, and reintegration, and kidnapping for ransom, complementing the work of relevant United Nations counterterrorism entities in these areas, and *encouraging* CTED to continue its interaction with the GCTF to promote the full implementation of resolutions 1373 (2001), 1624 (2005), 2178 (2014), and other relevant counterterrorism resolutions,

Recognizing the importance of civil society, including community-based civil society, the private sector, academia, think tanks, media, youth,

women, and cultural, educational, and religious leaders in increasing awareness about the threats of terrorism and more effectively tackling them,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communication technologies, in particular the Internet, for the purposes of recruitment and incitement to commit terrorist acts, as well as for the financing, planning and preparation of their activities, and underlining the need for Member States to act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

Stressing the need for Member States to act cooperatively to prevent terrorists from exploiting information and communication technologies, as well as the need for Member States to continue voluntary cooperation with the private sector and civil society to develop and implement more effective means to counter the use of the Internet for terrorist purposes, including by developing counterterrorist narratives and through technological solutions, all while respecting human rights and fundamental freedoms and in compliance with domestic and international law, *taking note* of the industry led Global Internet Forum to Counter Terrorism (GIFCT) and calling for the GIFCT to continue to increase engagement with governments and technology companies globally, and *recognizing* the development of the UN CTED-ICT4 Peace Tech Against Terrorism initiative and its efforts to foster collaboration with representatives from the technology industry, including smaller technology companies, civil society, academia, and government to disrupt terrorists' ability to use the internet in furtherance of terrorist purposes, while also respecting human rights and fundamental freedoms,

Urging Member States and the United Nations system to take measures, pursuant to international law, to address the conditions conducive to the spread of terrorism and violent extremism as and when conducive to terrorism, and further *emphasizing* that countering violent extremism as and when conducive to terrorism, including preventing radicalization, recruitment, and mobilization of individuals into terrorist groups, is an essential element of addressing the threat to international peace and security posed by terrorism, in a balanced manner as set out in the GCTS,

Reaffirming the need to increase attention to women and youth in all work on threats to international peace and security caused by terrorist acts, and noting the importance of incorporating, as appropriate, the participation of women and youth in developing strategies to counter terrorism and violent extremism which can be conducive to terrorism,

Noting the crucial role of CTED within the United Nations and its expertise in assessing counterterrorism issues and in supporting the development and promotion of well-informed counterterrorism

responses, and *urging* UNOCT and all other relevant UN bodies to take into account CTED recommendations and analysis in the implementation of their programs and mandates,

Welcoming continuing cooperation on counterterrorism efforts between CTED, ICAO, UNODC, all other relevant UN bodies, and INTERPOL, in particular on technical assistance and capacity building, and *strongly encouraging* their further engagement with UNOCT to ensure overall coordination and coherence in the counterterrorism efforts of the United Nations system,

Taking note of the “Technical Guide to the Implementation of Security Council resolution 1373 (2001) and Other Relevant Resolutions” updated by CTED,

1. *Underlines* that the overarching objective of the CTC is to ensure full implementation of resolution 1373 and *recalls* CTED’s central role in supporting the CTC in the fulfilment of its mandate;

2. *Decides* that CTED will continue to operate as a special political mission under the policy guidance of the CTC for the period ending 31 December 2021 and *further decides* to conduct by 31 December 2019 an interim review;

3. *Welcomes* the adoption of and *commends* the “Report of the Counterterrorism Committee to the Security Council for its Comprehensive Consideration of the Work of the Counterterrorism Committee Executive Directorate for 2014–2017”;

4. *Underscores* that neutral, expert assessment of the implementation of resolutions 1373 (2001), 1624 (2005), 2178 (2014), and other relevant resolutions, is the core function of CTED, and that the analysis and recommendations from these assessments are an invaluable aid to Member States in identifying and addressing gaps in implementation and capacity, and *calls on* UNOCT, all other relevant United Nations funds and programs, Member States, donors, and recipients to use these expert assessments as they design technical assistance and capacity building efforts, including in furthering the balanced implementation of the GCTS across all four of its pillars;

5. *Welcomes* CTED’s cooperation with ICAO, UNODC, other relevant UN bodies, and INTERPOL, as well as relevant regional organizations, and *urges* CTED to continue to ensure that it invites representatives from these bodies to participate in its assessment work, so that they continue to contribute to the development of prioritized recommendations to build Member States’ capacity in the most pressing areas;

6. *Recognizes* that CTED’s country visits, comprehensive assessments, and related follow-up activity is mutually beneficial for Member States, the CTC, other United Nations entities, and relevant partner organizations as they initiate an ongoing dialogue between national

actors and counterterrorism experts from across the United Nations system and from relevant partner organizations;

7. *Directs* the CTC, with the support of CTED, to determine on an annual basis a list of Member States that CTED should request consent to visit for the purpose of conducting assessments, and *underscores* that the composition of the list should take a risk-based approach that acknowledges existing gaps, emerging issues, trends, events, and analysis, while also taking into account prior requests by Member States and consent previously expressed, as well as the fact that a number of Member States have never been visited, and *underscores further* that the CTC, with the support of CTED, may decide, after the adoption of the list, on changes to its composition, as necessary, emphasizing transparency in planning for visits and producing ensuing reports;

8. *Directs* CTED, through its visits, assessments, and analytical work on emerging issues, trends, and developments to support Member States and United Nations entities in taking measures, pursuant to international law, to address conditions conducive to terrorism and violent extremism as and when conducive to terrorism, in accordance with the United Nations Global Counterterrorism Strategy, in coordination with and support of UNOCT;

9. *Directs* CTED to report to the CTC by 30 March 2018 on potential ways to strengthen the assessment process, including through considering targeted and focused follow-up visits as complements to CTED's comprehensive assessments, using, as appropriate and bearing in mind CTED's global mandate, a risk-based approach in response to evolving threats, shortening, in so far as possible, timelines for drafting and review of reports, bearing in mind differences in Member State capacity, enhancing fair and consistent application of assessment tools, and, at the behest of assessed Member States, engaging with counterterrorism experts in civil society, academia, think tanks, and the private sector, including in visits to and assessments of Member States, as a complement to primary engagement with Member State actors to allow them to highlight productive counterterrorism efforts, so that assessments are more useful, accessible, and targeted to specific audiences;

10. *Requests* the CTC Chair to invite senior officials from assessed Member States to attend relevant CTC meetings, and *requests further* the Chair to invite assessed Member States to coordinate with CTED and UNOCT on implementation of CTED recommendations, and for CTED to report within 12 months after the initial assessment report to the CTC on steps taken to implement the recommendations of the assessment, bearing in mind differences in capacity and availability of resources, as well as the need for technical assistance in the implementation of some recommendations, and *directs* CTED to make recommendations to the CTC about the need for additional follow-up activities,

as appropriate, to further implementation of assessment recommendations, including, as appropriate, additional technical assistance;

11. *Directs* CTED to report to the CTC in a timely manner, on a regular basis or when the CTC so requests, through oral and/or written briefings on the work of CTED, including its visits to Member States, status of coordination with relevant United Nations bodies, engagement with relevant non-United Nations actors, conduct of assessments, representation of the CTC at different international and regional meetings, and other activities, including during planning stages, and to conduct an annual review and forecast of activities to facilitate implementation of resolutions 1373 (2001), 1624 (2005), 2178 (2014), and other relevant resolutions, and, in this context, *requests* the CTC, with the support of CTED, to continue to hold periodic meetings, including with a regional or thematic focus, for all Member States and *underscores* the importance of CTED's work to the CTC and, in this context, looks forward to a special meeting to commemorate the twentieth anniversary of the adoption of resolution 1373 (2001) and the establishment of the CTC;

12. *Requests* the CTC to report, through its Chair, at least once per year to the Council on the state of the overall work of the CTC and CTED, and, as appropriate, in conjunction with the reports by the Chairs of the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and the Committee established pursuant to resolution 1540 (2004), and taking into account its efforts to strengthen coordination with other United Nations bodies, facilitate provision of consent from Member States for country visits and reports, improve implementation of recommendations, and how its assessments and analytical work has contributed toward improvements in Member States' counterterrorism efforts, and *expresses* its intention to hold informal consultations at least once per year on the work of the CTC;

13. *Directs* CTED to make country assessments, recommendations, surveys, and analytical products available throughout the United Nations system, especially to UNOCT and United Nations counterterrorism-relevant agencies, funds, and programs, in order to better align United Nations technical assistance and capacity building with gaps in implementation and capacity identified by CTED, as well as in support of balanced implementation of the GCTS, except when requested by the assessed Member States to keep selected information confidential, and further *directs* CTED to enhance sharing of its findings with Member States and relevant counterterrorism partners, as appropriate and in consultation with the CTC, in international, regional, and subregional organizations, the GCTF, academia, think tanks, civil society, and the private sector, including through improved web access, outreach, workshops, open briefings, and utilization of the

CTED Global Research Network (GRN), noting the importance of its geographic diversity;

14. *Reiterates* the essential role of CTED within the United Nations to identify and assess issues, trends, and developments relating to the implementation of resolutions 1373 (2001), 1624 (2005), and 2178 (2014), and other relevant resolutions, and in cooperation with UNOCT, to support balanced implementation of the GCTS, and also to advise the CTC on practical ways for Member States to implement these resolutions, and reiterates also the importance of work with relevant partners in this area, including through the GRN;

15. *Recognizes* CTED's relationships with relevant experts and practitioners in Member States, relevant international, regional, and sub-regional organizations, academia, think tanks, civil society, and the private sector, and *takes note of* the value of these experts and practitioners in briefings, workshops, the GRN, and open meetings to support the efforts of the CTC to advance implementation of resolutions 1373 (2001), 1624 (2005), and 2178 (2014), and other relevant counterterrorism resolutions and to promote analysis of emerging threats, trends, and developments;

16. *Encourages* Member States to consider developing comprehensive and integrated national counterterrorism strategies and effective mechanisms to implement them that include attention to the conditions conducive to terrorism, in accordance with their obligations under international law, and *encourages further* CTED to cooperate with Member States and international, regional, and subregional organizations, and other relevant partners, upon request, to assess and advise on formulating comprehensive and integrated national and regional counterterrorism strategies and the mechanisms to implement them, in close cooperation with UNOCT, other relevant UN agencies, and UN field offices, including, as appropriate, through engagement with UNDP, with a view to ensuring coherence and complementarity of efforts and to avoid any duplication in the effort to further implementation of resolutions 1373 (2001) and other relevant resolutions, and to support balanced implementation of the GCTS;

17. *Recalls* that CTED provided to the CTC, in accordance with resolution 2129 (2013), Global Implementation Surveys (GIS) of resolutions 1373 (2001) and 1624 (2005), *takes note of* the identified shortfalls with regard to the implementation of the aforementioned resolutions, *directs* CTED to produce updated versions of these GIS, and *further directs* CTED to provide to the CTC prior to 30 June 2018 a report with recommendations on its survey tools, including the GIS, Detailed Implementation Survey, and Overview of Implementation Assessment, to improve their utility to Member States, donors, recipients, UNOCT, other United Nations agencies for the purpose of designing technical assistance and capacity-building support, and *requests* this report

consider new mandates given to CTED by relevant resolutions, streamline the number of questions, and consider the most effective use of qualitative and quantitative data;

18. *Stresses* that the heads of CTED and UNOCT should meet regularly to discuss areas of mutual interest and the incorporation of CTED recommendations and analysis into UNOCT's work, particularly in implementation of technical assistance and capacity building, and *directs* UNOCT and CTED to draft a joint report by 30 March 2018 setting out practical steps to be taken by both bodies to ensure the incorporation of CTED recommendations and analysis into UNOCT's work, to be considered by the CTC, as well as the General Assembly in the context of the GCTS review;

19. *Encourages* the Chair of the CTC to invite UNOCT at the most senior level to brief the CTC on a twice annual basis on UNOCT's work, especially progress in incorporating CTED recommendations and analysis into the implementation of its programs and mandates, and *further encourages* the CTC Chair, with the assistance of CTED, to conduct follow-up meetings with UNOCT on coordination with CTED, as well as to invite UNOCT to participate regularly in meetings on relevant issues;

20. *Encourages* CTED to also support the work of UNOCT, by advising its leadership and assisting in development of counterterrorism information shared with the Secretary General and other senior leaders of the United Nations, as well as by supporting and joining UNOCT leadership, as appropriate, in preparation for, participation in, and hosting of workshops and conferences;

21. *Reminds* Member States that effective measures to counter terrorism and violent extremism as and when conducive to terrorism and respect for human rights are complementary and mutually reinforcing, and essential to success, *notes* the importance of respect for the rule of law in effectively combating terrorism, *welcomes* the role, in this regard, of relevant civil society, academia, think tanks, and the private sector, especially women-, youth-, and locally-focused actors, and *encourages* CTED to further develop its activities to ensure that all human rights and rule of law issues relevant to the implementation of resolutions 1373 (2001), 1624 (2005), 2178 (2014), and other relevant resolutions are addressed as an important component of CTED's country visits, assessments, analysis of emerging issues, trends, and developments, and facilitation of technical assistance;

22. *Reiterates* the obligation of Member States to refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists, and encourages CTED to continue to fully take this obligation into

account throughout its activities, and stresses the importance of full and effective implementation of the relevant resolutions and appropriately addressing the issues related to the lack thereof;

23. *Encourages* CTED, in close cooperation with UNOCT, to continue to pay close attention to resolution 1624 (2005) in its dialogue with Member States, and to work with them to develop, in accordance with their obligations under international law, strategies which include countering incitement of terrorist acts motivated by violent extremism and intolerance and to facilitate technical assistance for its implementation, as called for in resolution 1624 (2005) and the United Nations GCTS;

24. *Expresses* its profound solidarity with the victims of terrorism and their families, and *encourages* CTED, in close cooperation with UNOCT, to take into account the important roles victims and their networks can play, including through the credibility of their voices, in countering terrorism;

25. *Recognizes* FATF expertise in countering terrorist financing, in particular identifying and working with Member States with strategic anti-money laundering and countering terrorist financing deficiencies, and *welcomes* the FATF report on Emerging Terrorist Financing Risks (2015) and FATF guidance on criminalizing terrorist financing (2016), and ongoing FATF work related to terrorist financing, and *calls upon* the FATF to undertake further work on identifying how to improve global implementation of counter-terrorist financing measures, and *strongly urges* all Member States to implement the comprehensive international standards embodied in the FATF revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, and *encourages* CTED to pursue close cooperation with the FATF to advance effective implementation of counter-terrorist financing recommendations, including in particular on Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing and enhancing use by Member States of this key counter-terrorist financing tool;

26. *Recognizes* CTED's work on countering use of the internet and social media in furtherance of terrorist purposes, while respecting human rights and fundamental freedoms, and taking into account Member State compliance with applicable obligations under international law, and taking note of the need to preserve global connectivity and the free and secure flow of information facilitating economic development, communication, participation and access to information, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

27. *Welcomes* the collaboration between CTED and the 1267 Committee Analytical Support and Sanctions Monitoring Team, and *reiterates* the need to enhance ongoing cooperation among the CTC and

CTED and United Nations Security Council counter-terrorism bodies, including the Committee established pursuant to resolutions 1267 and 1989 and the Committee established pursuant to resolution 1540, as well as their respective groups of experts, including through: enhanced information-sharing, coordination on visits to countries, coordination on facilitating and monitoring technical assistance, and other cooperative measure to assist Member States in their efforts to comply with their obligations under the relevant resolutions;

28. *Reiterates* the call for CTED to integrate gender as a cross-cutting issue throughout its activities, including within country-specific assessments and reports, recommendations made to Member States, facilitating technical assistance to Member States, and briefings to the Council, *encourages* CTED to hold consultations with women and women's organizations to inform its work, and *urges* CTED in collaboration with UN Women to conduct and gather gender-sensitive research and data collection on the drivers of radicalization to terrorism for women, and the impacts of counterterrorism strategies on women's human rights and women's organizations;

29. *Encourages* CTED to integrate the impact of terrorism on children and children's rights into its work, as appropriate, especially in regards to issues related to the families of returning and relocating FTFs;

30. *Encourages* continued, closer cooperation between ICAO and CTED, in particular by working together on identifying gaps and vulnerabilities relevant to counterterrorism and aviation security, promoting the work and tools of each agency, and coordinating closely on CTED assessments and the development of recommendations, *noting* that Annex 9 and Annex 17 of the Convention on International Civil Aviation contain standards and recommended practices relevant to the detection and prevention of terrorist threats involving civil aviation, including cargo screening, and *welcoming* ICAO's decision to establish a standard on the use of Advance Passenger Information (API) systems by its Member States and *reaffirming* the importance of Member States developing the capability to process Passenger Name Records (PNR) data and to ensure PNR data is used by the relevant national competent authorities, with full respect for human rights, for the purpose of preventing, detecting, and investigating terrorist offenses;

31. *Encourages* CTED to work with relevant partners, including UNODC and UNOCT, and in consultation with the CTC, to avoid duplication of effort and to support efforts to enhance international law enforcement and judicial cooperation, including by, *inter alia*, identifying areas where it is appropriate to deliver technical assistance to Member States, upon their request, including through the training of prosecutors, judges, and other relevant officials involved in international cooperation, particularly by providing analysis on capacity gaps and

recommendations based on CTED's assessments and analysis, including on the designation of Central Authorities or other relevant criminal justice authorities involved with mutual legal assistance and extradition activities, and to ensure that such authorities have adequate resources, training and legal authority, in particular for terrorism related offences;

32. *Encourages* CTED to support Member States in developing or further improving their strategies for reducing risks to critical infrastructure and soft targets from terrorist attacks, to include, *inter alia*, assessing and raising awareness of the relevant risks, taking preparedness measures, including effective responses to such attacks, and promoting better interoperability, and *recalls* the adoption by the GCTF of the "The Antalya Memorandum on the Protection of Soft Targets in a Counterterrorism Context," and *encourages* CTED to take it into account, including in facilitation of facilitating technical assistance to Member States;

33. *Decides* to remain actively seized of the matter.

61. Resolution 1377 (2001)

MINISTERIAL DECLARATION ON THE GLOBAL EFFORT TO COMBAT TERRORISM

*Adopted by the Security Council at its 4413th meeting,
on 12 November 2001*

The Security Council,

Decides to adopt the attached declaration on the global effort to combat terrorism.

ANNEX

The Security Council,

Meeting at the Ministerial level,

Recalling its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Declares that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century,

Further declares that acts of international terrorism constitute a challenge to all States and to all of humanity,

Reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed,

Stresses that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations, and that the financing, planning and preparation of as well as any other form of support for acts of international terrorism are similarly contrary to the purposes and principles of the Charter of the United Nations,

Underlines that acts of terrorism endanger innocent lives and the dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity,

Affirms that a sustained, comprehensive approach involving the active participation and collaboration of all Member States of the United Nations, and in accordance with the Charter of the United Nations and international law, is essential to combat the scourge of international terrorism,

Stresses that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism,

Welcomes the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1 to 5 October 2001, calls on all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area,

Calls on all States to take urgent steps to implement fully resolution 1373 (2001), and to assist each other in doing so, and underlines the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism,

Expresses its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and welcomes the progress made so far by the Counter-Terrorism Committee established by paragraph 6 of resolution 1373 (2001) to monitor implementation of that resolution,

Recognizes that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and invites States to inform the Counter-Terrorism Committee of areas in which they require such support,

In that context, *invites* the Counter-Terrorism Committee to explore ways in which States can be assisted, and in particular to explore with international, regional and subregional organizations:

- The promotion of best-practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate,
- The availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001),
- The promotion of possible synergies between these assistance programmes,

Calls on all States to intensify their efforts to eliminate the scourge of international terrorism.

62. Resolution 1456 (2003)

HIGH-LEVEL MEETING OF THE SECURITY COUNCIL: COMBATING TERRORISM (MINISTERIAL DECLARATION ON THE ISSUE OF COMBATING TERRORISM)

*Adopted by the Security Council at its 4688th meeting,
on 20 January 2003*

The Security Council,

Decides to adopt the attached declaration on the issue of combating terrorism.

ANNEX

The Security Council,

Meeting at the level of Ministers for Foreign Affairs on 20 January 2003 reaffirms that:

- Terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security;
- Any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed and are to be unequivocally condemned, especially when they indiscriminately target or injure civilians;
- There is a serious and growing danger of terrorist access to and use of nuclear, chemical, biological and other potentially deadly materials, and therefore a need to strengthen controls on these materials;
- It has become easier, in an increasingly globalized world, for terrorists to exploit sophisticated technology, communications and resources for their criminal objectives;
- Measures to detect and stem the flow of finance and funds for terrorist purposes must be urgently strengthened;
- Terrorists must also be prevented from making use of other criminal activities such as transnational organized crime, illicit drugs and drug trafficking, money-laundering and illicit arms trafficking;
- Since terrorists and their supporters exploit instability and intolerance to justify their criminal acts the Security Council is determined to counter this by contributing

- to peaceful resolution of disputes and by working to create a climate of mutual tolerance and respect;
- Terrorism can only be defeated, in accordance with the Charter of the United Nations and international law, by a sustained comprehensive approach involving the active participation and collaboration of all States, international and regional organizations, and by redoubled efforts at the national level.

* * *

The Security Council therefore *calls* for the following steps to be taken:

1. All States must take urgent action to prevent and suppress all active and passive support to terrorism, and in particular comply fully with all relevant resolutions of the Security Council, in particular resolutions 1373 (2001), 1390 (2002) and 1455 (2003);
2. The Security Council *calls upon* States to:
 - (a) Become a party, as a matter of urgency, to all relevant international conventions and protocols relating to terrorism, in particular the 1999 International Convention for the Suppression of the Financing of Terrorism and to support all international initiatives taken to that aim, and to make full use of the sources of assistance and guidance which are now becoming available;
 - (b) Assist each other, to the maximum extent possible, in the prevention, investigation, prosecution and punishment of acts of terrorism, wherever they occur;
 - (c) Cooperate closely to implement fully the sanctions against terrorists and their associates, in particular Al-Qaeda and the Taliban and their associates, as reflected in resolutions 1267 (1999), 1390 (2002) and 1455 (2003), to take urgent actions to deny them access to the financial resources they need to carry out their actions, and to cooperate fully with the Monitoring Group established pursuant to resolution 1363 (2001);
3. States must bring to justice those who finance, plan, support or commit terrorist acts or provide safe havens, in accordance with international law, in particular on the basis of the principle to extradite or prosecute;
4. The Counter-Terrorism Committee must intensify its efforts to promote the implementation by Member States of all aspects of resolution 1373 (2001), in particular through reviewing States' reports and facilitating international assistance and cooperation, and through

continuing to operate in a transparent and effective manner, and in that regard the Council;

- (i) Stresses the obligation on States to report to the CTC, according to the timetable set by the CTC, calls on the 13 States who have not yet submitted a first report and on the 56 States who are late in submitting further reports to do so by 31 March, and requests the CTC to report regularly on progress;
- (ii) Calls on States to respond promptly and fully to the CTC's requests for information, comments and questions in full and on time, and instructs the CTC to inform the Council of progress, including any difficulties it encounters;
- (iii) Requests the CTC in monitoring the implementation of resolution 1373 (2001) to bear in mind all international best practices, codes and standards which are relevant to the implementation of resolution 1373 (2001), and underlines its support for the CTC's approach in constructing a dialogue with each State on further action required to fully implement resolution 1373 (2001);

5. States should assist each other to improve their capacity to prevent and fight terrorism, and notes that such cooperation will help facilitate the full and timely implementation of resolution 1373 (2001), and invites the CTC to step up its efforts to facilitate the provision of technical and other assistance by developing targets and priorities for global action;

6. States must ensure that any measure taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law;

7. International organizations should evaluate ways in which they can enhance the effectiveness of their action against terrorism, including by establishing dialogue and exchanges of information with each other and with other relevant international actors, and directs this appeal in particular to those technical agencies and organizations whose activities relate to the control of the use of or access to nuclear, chemical, biological and other deadly materials; in this context the importance of fully complying with existing legal obligations in the field of disarmament, arms limitation and non-proliferation and, where necessary, strengthening international instruments in this field should be underlined;

8. Regional and subregional organizations should work with the CTC and other international organizations to facilitate sharing of best practice in the fight against terrorism, and to assist their members in fulfilling their obligation to combat terrorism;

9. Those participating in the Special Meeting of the Counter-Terrorism Committee with international regional and subregional organizations on 7 March 2003 should use that opportunity to make urgent progress on the matters referred to in this declaration which involve the work of such organizations;

* * *

The Security Council also:

10. *Emphasizes* that continuing international efforts to enhance dialogue and broaden the understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, to further strengthen the campaign against terrorism, and to address unresolved regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which by themselves are necessary to sustain the broadest possible fight against terrorism;

11. *Reaffirms* its strong determination to intensify its fight against terrorism in accordance with its responsibilities under the Charter of the United Nations, and takes note of the contributions made during its meeting on 20 January 2003 with a view to enhancing the role of the United Nations in this regard, and invites Member States to make further contributions to this end;

12. *Invites* the Secretary-General to present a report within 28 days summarizing any proposals made during its ministerial meeting and any commentary or response to these proposals by any Security Council member;

13. *Encourages* Member States of the United Nations to cooperate in resolving all outstanding issues with a view to the adoption, by consensus, of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism;

14. *Decides* to review actions taken towards the realization of this declaration at further meetings of the Security Council.

63. Resolution 1540 (2004)

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION (ESTABLISHMENT OF THE “1540 COMMITTEE”)

Adopted by the Security Council at its 4956th meeting, on 28 April 2004

The Security Council,

Affirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery,² constitutes a threat to international peace and security,

Reaffirming, in this context, the Statement of its President adopted at the Council’s meeting at the level of Heads of State and Government on 31 January 1992 (S/23500), including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

Recalling also that the Statement underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

Affirming its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the United Nations Charter,

Affirming its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to these treaties to implement them fully in order to promote international stability,

Welcoming efforts in this context by multilateral arrangements which contribute to non-proliferation,

² Definitions for the purpose of this resolution only:

Means of delivery: Missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

Non-State actor: Individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution.

Related materials: Materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

Affirming that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be used as a cover for proliferation,

Gravely concerned by the threat of terrorism and the risk that non-State actors⁴ such as those identified in the United Nations list established and maintained by the Committee established under Security Council resolution 1267 and those to whom resolution 1373 applies, may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery,

Gravely concerned by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and related materials,⁴ which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security,

Recognizing the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security,

Recognizing that most States have undertaken binding legal obligations under treaties to which they are parties, or have made other commitments aimed at preventing the proliferation of nuclear, chemical or biological weapons, and have taken effective measures to account for, secure and physically protect sensitive materials, such as those required by the Convention on the Physical Protection of Nuclear Materials and those recommended by the IAEA Code of Conduct on the Safety and Security of Radioactive Sources,

Recognizing further the urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery,

Encouraging all Member States to implement fully the disarmament treaties and agreements to which they are party,

Reaffirming 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,

Determined to facilitate henceforth an effective response to global threats in the area of non-proliferation,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

2. *Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which

prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

3. *Decides also* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(b) Develop and maintain appropriate effective physical protection measures;

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

4. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Security Council for its examination, on the implementation of this resolution, and to this end calls upon States to present a first report no later than six months from the adoption of this resolution to the Committee on steps they have taken or intend to take to implement this resolution;

5. *Decides* that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

6. *Recognizes* the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

7. *Recognizes* that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

8. *Calls upon* all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

9. *Calls upon* all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;

10. Further to counter that threat, *calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

11. *Expresses* its intention to monitor closely the implementation of this resolution and, at the appropriate level, to take further decisions which may be required to this end;

12. *Decides* to remain seized of the matter.

64. Resolution 2325 (2016)

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION (REAFFIRMING THE REQUIREMENTS OF RESOLUTION 1540)³

*Adopted by the Security Council at its 7837th meeting,
on 15 December 2016*

The Security Council,

Reaffirming its resolutions 1540 (2004) of 28 April 2004, 1673 (2006) of 27 April 2006, 1810 (2008) of 25 April 2008, 1977 (2011) of 20 April 2011, and 2055 (2012) of 29 June 2012,

Reaffirming that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Reaffirming its decision that none of the obligations in resolution 1540 (2004) shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons,

Remaining gravely concerned by the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in or use nuclear, chemical, and biological weapons and their means of delivery, including by using the rapid advances in science, technology and international commerce to that end,

Reaffirming that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be misused for proliferation purposes,

Recalling the decisions in resolution 2118 (2013) and resolution 2298 (2016) that member States shall inform immediately the Security Council of any violation of resolution 1540 (2004), and also *recalling* the invitation in resolution 2319 (2016) for the Joint Investigative Mechanism of the United Nations and the Organization for the Prohibition of Chemical Weapons, to brief, as appropriate, the Committee established

³ See also Security Council resolutions 1673 (2006) of 27 April 2006, 1810 (2008) of 25 April 2008 and 1977 (2011) of 20 April 2011 extending the mandate of the 1540 Committee. See also resolutions 2055 (2012) of 29 June 2012, enlarging the membership of the group of experts and 2325 (2016) of 15 December 2016, reaffirming the obligations in resolution 1540.

pursuant to resolution 1540 (2004), hereafter the 1540 Committee, on relevant results of its work,

Endorsing the 2016 Comprehensive Review of the status of the implementation of resolution 1540 (2004), and *noting* the findings and recommendations in its final report,

Noting that not all States have presented to the 1540 Committee their national reports on implementation of resolution 1540 (2004),

Stressing the need to strengthen national measures of export control of materials related to nuclear, chemical and biological weapons and their means of delivery, consistent with resolution 1540 (2004),

Further noting that the full implementation of resolution 1540 (2004) by all States, including the adoption of national laws and measures to ensure implementation of these laws, is a long-term task that will require continuous efforts at national, regional and international levels,

Recognizing the need to enhance coordination of efforts at national, regional, subregional and international levels, as appropriate, in order to strengthen a global response to the serious challenge and threat to international peace and security posed by the proliferation of weapons of mass destruction and their means of delivery,

Stressing the importance of dialogue between the 1540 Committee and Member States, including visits to States at their invitation, and also recognizing that such a dialogue has contributed to facilitating implementation of resolution 1540 (2004), *inter alia* by raising awareness about the importance of presenting national reports and the utility of voluntary national implementation action plans and has helped to identify assistance needs of States,

Recognizing that many States continue to require assistance in implementing resolution 1540 (2004), and *emphasizing* the importance of providing States, in response to their requests, with effective assistance that meets their needs,

Stressing the need to reinforce the role of the 1540 Committee in providing and facilitating effective assistance, including, *inter alia*, in the field of State capacity-building, and collaboration among States, between the 1540 Committee and States, and between the 1540 Committee and relevant international, regional and subregional organizations in assisting States to implement resolution 1540 (2004),

Acknowledging the importance of voluntary contributions made in the field of assistance by Member States and international, regional and subregional organizations, including through the United Nations Trust Fund for Global and Regional Disarmament Activities,

Endorsing the valuable interaction of the Committee with relevant international, regional, and subregional organizations, and *emphasizing*

the need for coordination, as appropriate, between the Committee and those organizations,

Acknowledging the enhanced ongoing cooperation among the 1540 Committee, the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2001) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities, and the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism,

Acknowledging that transparency and outreach make an important contribution to enhancing confidence, fostering cooperation and raising the awareness among States, including, as appropriate, in their interaction with relevant international, regional and subregional organizations, and *also acknowledging* the positive role performed by civil society, *inter alia* industry and academia, could play in the effective implementation of resolution 1540 (2004), including by raising awareness, and that parliamentarians have a key role in enacting the necessary legislation to implement the obligations of the resolution,

Endorsing the work already carried out by the 1540 Committee, in accordance with its Programmes of Work, *and reaffirming* its continued support,

Bearing in mind the need to continue the consideration of the 1540 Committee's ability, consistent with its mandate, to review and facilitate advancing the implementation of the resolution,

Determined to facilitate the full and effective implementation of resolution 1540 (2004),

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* its decisions in and the requirements of resolution 1540 (2004), and *re-emphasizes* the importance for all States to implement fully and effectively that resolution;

2. *Decides* that the 1540 Committee will continue to submit to the Security Council its Programme of Work, before the end of each January, and will brief the Security Council in the first quarter of each year, *and welcomes* the continuous submission of the Annual Review on the Implementation of Resolution 1540 (2004), prepared with the assistance of the Group of Experts, within December annually;

3. *Again calls upon* all States that have not yet presented a first report on steps they have taken or intend to take to implement resolution 1540 (2004) to submit such a report to the 1540 Committee without delay, *and requests* the Committee to make available its expertise to these States, as appropriate, to facilitate the submission of such reports;

4. *Again encourages* all States that have submitted such reports to provide, when appropriate or upon the request of the 1540 Committee, additional information on their implementation of

resolution 1540 (2004), including, voluntarily, on their laws and regulations and on States' effective practices;

5. *Encourages* also States to prepare on a voluntary basis national implementation action plans, with the assistance of the 1540 Committee as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit these plans to the Committee;

6. *Encourages* all States that have not yet done so to provide the 1540 Committee with a Point of Contact for Resolution 1540 (2004), and *urges* the Committee to continue to undertake initiatives to strengthen the capacity of such Points of Contact to assist on the implementation of the resolution, upon request of States, including through the continuation on a regional basis of the Committee's Point of Contact Training Programme;

7. *Calls upon* States to take into account developments on the evolving nature of risk of proliferation and rapid advances in science and technology in their implementation of resolution 1540 (2004);

8. *Requests* the 1540 Committee to take note in its work, where relevant, of the continually evolving nature of the risks of proliferation, including the use by non-State actors of rapid advances in science, technology and international commerce for proliferation purposes, in the context of the implementation of resolution 1540 (2004);

9. *Requests* that the 1540 Committee undertake additional consideration, consistent with the report of the 2016 Comprehensive Review, of the efficiency and effectiveness of the Special Political Mission that supports the Committee, *and encourages* the Committee to report to the Security Council on the findings of this evaluation, within 2017 as appropriate;

10. *Calls upon* all States to intensify their efforts to achieve full implementation of resolution 1540 (2004), focusing, when and where appropriate, on areas where measures should be taken and strengthened;

11. *Urges* the 1540 Committee to continue to explore and develop an approach, with regard to implementation and reporting, that takes into account the specificity of States, *inter alia*, with respect to their ability to manufacture and export related materials, with a view to prioritizing efforts and resources where they are most needed without affecting the need for comprehensive implementation of resolution 1540 (2004);

12. *Decides* that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its Programme of Work, which includes the compilation and general examination of information on the status of States' implementation of resolution 1540 (2004) and addresses all aspects of paragraphs 1, 2 and 3 of that resolution, particularly noting

the need for more attention on: enforcement measures; measures relating to biological, chemical and nuclear weapons; proliferation finance measures; accounting for and securing related materials; and national export and transshipment controls;

13. *Encourages* States, as appropriate, to control access to intangible transfers of technology and to information that could be used for weapons of mass destruction and their means of delivery;

14. *Recalls* its decision that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including by establishing appropriate control over related materials, and *calls upon* States that have not done so to start developing effective national control lists at the earliest opportunity for the implementation of resolution 1540 (2004);

15. *Recalls* its decision that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws for the prohibition of activities under paragraph 2 of resolution 1540 (2004), and *requests* that the 1540 Committee hold discussions on optimal approaches on enforcement of the indicated paragraph;

16. *Encourages* the 1540 Committee to continue to engage actively in dialogue with States, including in the context of ongoing updating of the implementation data it holds, and through visits to States, at their invitation, by the Committee;

17. *Encourages* the 1540 Committee to continue to identify and compile effective implementation best practices and, upon request by a State, to share appropriate effective best practices for implementing resolution 1540 (2004) with that State;

18. *Encourages* States that have requests for assistance to provide the 1540 Committee, as appropriate, with specific details of the assistance needed, *directs* the Committee, when possible, to provide States, upon their request, with assistance in the formulation of such requests, and further *directs* the Committee to revise its assistance template;

19. *Urges* States as well as relevant international, regional and subregional organizations to inform the 1540 Committee, as appropriate, of areas in which they are able to provide assistance, and *calls upon* States as well as such organizations, if they have not done so previously, to provide the Committee with information on their ongoing assistance programmes relevant to resolution 1540 (2004);

20. *Urges* the Committee to continue strengthening its role in facilitating technical assistance for implementation of resolution 1540 (2004), in particular by engaging actively in matching offers and requests for assistance, *inter alia* through a regional approach, where appropriate,

as well as the holding of regional assistance conferences, which bring together States that request assistance with those offering assistance;

21. *Encourages* States to contribute funds, on a voluntary basis, to finance projects and activities, including through the United Nations Trust Fund for Global and Regional Disarmament Activities, to assist States in implementing their obligations under resolution 1540 (2004), including for implementing projects in response to assistance requests submitted directly by States to the Committee;

22. *Encourages* the Committee to develop, in collaboration with international, regional and subregional organizations, assistance projects to support States in implementing resolution 1540 (2004) in order to facilitate the prompt and direct response to assistance requests;

23. *Encourages* relevant international, regional and subregional organizations to enhance cooperation and information-sharing with the 1540 Committee, on the issues related to the implementation of resolution 1540 (2004);

24. *Calls upon* relevant international, regional and subregional organizations that have not yet done so to provide the Committee with a Point of Contact or Coordinator for Resolution 1540 (2004);

25. *Encourages also* relevant international, regional and subregional organizations, to highlight the obligations of resolution 1540 (2004) in their model legislation and/or guidelines, where appropriate, pertaining to instruments under their mandate relevant to the resolution;

26. *Requests* the 1540 Committee to convene regular meetings, *inter alia* on the margins of the relevant sessions of the General Assembly, with relevant international, regional and subregional organizations to share information and experiences on their efforts to facilitate implementation of resolution 1540 (2004), thereby contributing to promoting coordination of such efforts, as appropriate;

27. *Reiterates* the need to continue to enhance ongoing cooperation among the 1540 Committee, the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2001) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities, and the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism, including through, as appropriate, enhanced information sharing, coordination on visits to States, within their respective mandates, technical assistance and other issues of relevance to all three committees, *and again expresses* its intention to provide guidance to the committees on areas of common interest in order to better coordinate their efforts, and *decides* the three Committees will jointly brief once per year the Security Council on their cooperation;

28. *Requests* the 1540 Committee to continue to institute transparency measures and activities, *inter alia* by making the fullest possible use of the Committee's website and other agreed means of communication, *and further requests* the Committee to conduct regular meetings open to all Member States on the Committee's and Group's activities related to facilitating implementation of resolution 1540 (2004);

29. *Requests* the 1540 Committee to continue to organize and participate in outreach events on the implementation of resolution 1540 (2004) at the international, regional, subregional, and, as appropriate, national level, including, as appropriate, inviting parliamentarians, as well as representatives of civil society, including industry and academia and promote the refinement of these outreach efforts to focus on specific thematic and regional issues related to implementation;

30. *Encourages* the 1540 Committee to continue drawing on relevant expertise, including industry, scientific and academic communities, with, as appropriate, their States' consent, which can assist States in their implementation of resolution 1540 (2004);

31. *Decides* to remain seized of the matter.

65. Resolution 1624 (2005)

THREATS TO INTERNATIONAL PEACE AND SECURITY (PROHIBITION OF THE INCITEMENT TO COMMIT TERRORIST ACTS)

*Adopted by the Security Council at its 5261st meeting,
on 14 September 2005*

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999, 1373 (2001) of 28 September 2001, 1535 (2004) of 26 March 2004, 1540 (2004) of 28 April 2004, 1566 (2004) of 8 October 2004, and 1617 (2005) of 29 July 2005, the declaration annexed to its resolution 1456 (2003) of 20 January 2003, as well as its other resolutions concerning threats to international peace and security caused by acts of terrorism,

Reaffirming also the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations, and also stressing that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights law, refugee law, and humanitarian law,

Condemning in the strongest terms all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security, and *reaffirming* the primary responsibility of the Security Council for the maintenance of international peace and security under the Charter of the United Nations,

Condemning also in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts,

Deeply concerned that incitement of terrorist acts motivated by extremism and intolerance poses a serious and growing danger to the enjoyment of human rights, threatens the social and economic development of all States, undermines global stability and prosperity, and must be addressed urgently and proactively by the United Nations and all States, and *emphasizing* the need to take all necessary and appropriate measures in accordance with international law at the national and international level to protect the right to life,

Recalling the right to freedom of expression reflected in article 19 of the Universal Declaration of Human Rights adopted by the General Assembly in 1948 (“the Universal Declaration”), and recalling also the right to freedom of expression in article 19 of the International

Covenant on Civil and Political Rights adopted by the General Assembly in 1966 (“ICCPR”) and that any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of article 19 of the ICCPR,

Recalling in addition the right to seek and enjoy asylum reflected in article 14 of the Universal Declaration and the non-refoulement obligation of States under the Convention relating to the Status of Refugees adopted on 28 July 1951, together with its Protocol adopted on 31 January 1967 (“the Refugees Convention and its Protocol”), and also *recalling* that the protections afforded by the Refugees Convention and its Protocol shall not extend to any person with respect to whom there are serious reasons for considering that he has been guilty of acts contrary to the purposes and principles of the United Nations,

Reaffirming that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that knowingly financing, planning and inciting terrorist acts are also contrary to the purposes and principles of the United Nations,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Recognizing the essential role of the United Nations in the global effort to combat terrorism and *welcoming* the Secretary-General’s identification of elements of a counter-terrorism strategy to be considered and developed by the General Assembly without delay with a view to adopting and implementing a strategy to promote comprehensive, coordinated and consistent responses at the national, regional and international level to counter terrorism,

Stressing its call upon all States to become party, as a matter of urgency, to the international counter-terrorism Conventions and Protocols whether or not they are party to regional Conventions on the matter, and to give priority consideration to signing the International Convention for the Suppression of Nuclear Terrorism adopted by the General Assembly on 13 April 2005,

Re-emphasizing that continuing international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and addressing unresolved regional conflicts and the full range of global issues, including development issues, will contribute to strengthening the international fight against terrorism,

Stressing the importance of the role of the media, civil and religious society, the business community and educational institutions in those efforts to enhance dialogue and broaden understanding, and in promoting tolerance and coexistence, and in fostering an environment which is not conducive to incitement of terrorism,

Recognizing the importance that, in an increasingly globalized world, States act cooperatively to prevent terrorists from exploiting sophisticated technology, communications and resources to incite support for criminal acts,

Recalling that all States must cooperate fully in the fight against terrorism, in accordance with their obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens,

1. *Calls upon* all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to:

- (a) Prohibit by law incitement to commit a terrorist act or acts;
- (b) Prevent such conduct;
- (c) Deny safe haven to any persons with respect to whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such conduct;

2. *Calls upon* all States to cooperate, *inter alia*, to strengthen the security of their international borders, including by combating fraudulent travel documents and, to the extent attainable, by enhancing terrorist screening and passenger security procedures with a view to preventing those guilty of the conduct in paragraph 1 (a) from entering their territory;

3. *Calls upon* all States to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance and to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters;

4. *Stresses* that States must ensure that any measures taken to implement paragraphs 1, 2 and 3 of this resolution comply with all of their obligations under international law, in particular international human rights law, refugee law, and humanitarian law;

5. *Calls upon* all States to report to the Counter-Terrorism Committee, as part of their ongoing dialogue, on the steps they have taken to implement this resolution;

6. *Directs* the Counter-Terrorism Committee to:

(a) Include in its dialogue with Member States their efforts to implement this resolution;

(b) Work with Member States to help build capacity, including through spreading best legal practice and promoting exchange of information in this regard;

(c) Report back to the Council in twelve months on the implementation of this resolution.

7. *Decides* to remain actively seized of the matter.

66. Resolution 2178 (2014)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED
BY TERRORIST ACTS (ADDRESSING THE QUESTION OF FOREIGN
TERRORIST FIGHTERS)

*Adopted by the Security Council at its 7272nd meeting,
on 24 September 2014*

The Security Council,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *remaining* determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Noting with concern that the terrorism threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts including those motivated by intolerance or extremism, and *expressing* its determination to combat this threat,

Bearing in mind the need to address the conditions conducive to the spread of terrorism, and *affirming* Member States' determination to continue to do all they can to resolve conflict and to deny terrorist groups the ability to put down roots and establish safe havens to address better the growing threat posed by terrorism,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recognizing that international cooperation and any measures taken by Member States to prevent and combat terrorism must comply fully with the Charter of the United Nations,

Reaffirming its respect for the sovereignty, territorial integrity and political independence of all States in accordance with the Charter,

Reaffirming that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law, *underscoring* that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures, and are an essential part of a successful counter-terrorism effort and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism, and *noting* that failure to comply with these and other international obligations, including under

the Charter of the United Nations, is one of the factors contributing to increased radicalization and fosters a sense of impunity,

Expressing grave concern over the acute and growing threat posed by foreign terrorist fighters, namely individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, including in connection with armed conflict, and *resolving* to address this threat,

Expressing grave concern about those who attempt to travel to become foreign terrorist fighters,

Concerned that foreign terrorist fighters increase the intensity, duration and intractability of conflicts, and also may pose a serious threat to their States of origin, the States they transit and the States to which they travel, as well as States neighbouring zones of armed conflict in which foreign terrorist fighters are active and that are affected by serious security burdens, and *noting* that the threat of foreign terrorist fighters may affect all regions and Member States, even those far from conflict zones, and *expressing grave concern* that foreign terrorist fighters are using their extremist ideology to promote terrorism,

Expressing concern that international networks have been established by terrorists and terrorist entities among States of origin, transit and destination through which foreign terrorist fighters and the resources to support them have been channelled back and forth,

Expressing particular concern that foreign terrorist fighters are being recruited by and are joining entities such as the Islamic State in Iraq and the Levant (ISIL), the Al-Nusrah Front (ANF) and other cells, affiliates, splinter groups or derivatives of Al-Qaida, as designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011), *recognizing* that the foreign terrorist fighter threat includes, among others, individuals supporting acts or activities of Al-Qaida and its cells, affiliates, splinter groups, and derivative entities, including by recruiting for or otherwise supporting acts or activities of such entities, and *stressing* the urgent need to address this particular threat,

Recognizing that addressing the threat posed by foreign terrorist fighters requires comprehensively addressing underlying factors, including by preventing radicalization to terrorism, stemming recruitment, inhibiting foreign terrorist fighter travel, disrupting financial support to foreign terrorist fighters, countering violent extremism, which can be conducive to terrorism, countering incitement to terrorist acts motivated by extremism or intolerance, promoting political and religious tolerance, economic development and social cohesion and inclusiveness, ending and resolving armed conflicts, and facilitating reintegration and rehabilitation,

Recognizing also that terrorism will not be defeated by military force, law enforcement measures, and intelligence operations alone, and *underlining* the need to address the conditions conducive to the spread of terrorism, as outlined in Pillar I of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288),

Expressing concern over the increased use by terrorists and their supporters of communications technology for the purpose of radicalizing to terrorism, recruiting and inciting others to commit terrorist acts, including through the internet, and financing and facilitating the travel and subsequent activities of foreign terrorist fighters, and *underlining* the need for Member States to act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

Noting with appreciation the activities undertaken in the area of capacity building by United Nations entities, in particular entities of the Counter-Terrorism Implementation Task Force (CTITF), including the United Nations Office of Drugs and Crime (UNODC) and the United Nations Centre for Counter-Terrorism (UNCCT), and also the efforts of the Counter Terrorism Committee Executive Directorate (CTED) to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, in coordination with other relevant international, regional and subregional organizations, to assist Member States, upon their request, in implementation of the United Nations Global Counter-Terrorism Strategy,

Noting recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, and *noting* the work of the Global Counterterrorism Forum (GCTF), in particular its recent adoption of a comprehensive set of good practices to address the foreign terrorist fighter phenomenon, and its publication of several other framework documents and good practices, including in the areas of countering violent extremism, criminal justice, prisons, kidnapping for ransom, providing support to victims of terrorism, and community-oriented policing, to assist interested States with the practical implementation of the United Nations counter-terrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas,

Noting with appreciation the efforts of INTERPOL to address the threat posed by foreign terrorist fighters, including through global law enforcement information sharing enabled by the use of its secure communications network, databases, and system of advisory notices, procedures to track stolen, forged identity papers and travel

documents, and INTERPOL's counter-terrorism fora and foreign terrorist fighter programme,

Having regard to and highlighting the situation of individuals of more than one nationality who travel to their states of nationality for the purpose of the perpetration, planning, preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and *urging* States to take action, as appropriate, in compliance with their obligations under their domestic law and international law, including international human rights law,

Calling upon States to ensure, in conformity with international law, in particular international human rights law and international refugee law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, including by foreign terrorist fighters,

Reaffirming its call upon all States to become party to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party,

Noting the continued threat to international peace and security posed by terrorism, and *affirming* 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, including those perpetrated by foreign terrorist fighters,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the violent extremism, which can be conducive to terrorism, sectarian violence, and the commission of terrorist acts by foreign terrorist fighters, and *demands* that all foreign terrorist fighters disarm and cease all terrorist acts and participation in armed conflict;

2. *Reaffirms* that all States shall prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents, *underscores*, in this regard, the importance of addressing, in accordance with their relevant international obligations, the threat posed by foreign terrorist fighters, and *encourages* Member States to employ evidence-based traveller risk assessment and screening procedures including collection and analysis of travel data, without resorting to profiling based on stereotypes founded on grounds of discrimination prohibited by international law;

3. *Urges* Member States, in accordance with domestic and international law, to intensify and accelerate the exchange of operational information regarding actions or movements of terrorists or terrorist networks, including foreign terrorist fighters, especially with their

States of residence or nationality, through bilateral or multilateral mechanisms, in particular the United Nations;

4. *Calls upon* all Member States, in accordance with their obligations under international law, to cooperate in efforts to address the threat posed by foreign terrorist fighters, including by preventing the radicalization to terrorism and recruitment of foreign terrorist fighters, including children, preventing foreign terrorist fighters from crossing their borders, disrupting and preventing financial support to foreign terrorist fighters, and developing and implementing prosecution, rehabilitation and reintegration strategies for returning foreign terrorist fighters;

5. *Decides* that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting or equipping of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and the financing of their travel and of their activities;

6. *Recalls* its decision, in resolution 1373 (2001), that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, and *decides* that all States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of the offense:

(a) their nationals who travel or attempt to travel to a State other than their States of residence or nationality, and other individuals who travel or attempt to travel from their territories to a State other than their States of residence or nationality, for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts, or the providing or receiving of terrorist training;

(b) the wilful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to finance the travel of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training; and,

(c) the wilful organization, or other facilitation, including acts of recruitment, by their nationals or in their territories, of the travel of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning,

or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training;

7. *Expresses* its strong determination to consider listing pursuant to resolution 2161 (2014) individuals, groups, undertakings and entities associated with Al-Qaida who are financing, arming, planning, or recruiting for them, or otherwise supporting their acts or activities, including through information and communications technologies, such as the internet, social media, or any other means;

8. *Decides* that, without prejudice to entry or transit necessary in the furtherance of a judicial process, including in furtherance of such a process related to arrest or detention of a foreign terrorist fighter, Member States shall prevent the entry into or transit through their territories of any individual about whom that State has credible information that provides reasonable grounds to believe that he or she is seeking entry into or transit through their territory for the purpose of participating in the acts described in paragraph 6, including any acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida, as set out in paragraph 2 of resolution 2161 (2014), provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals or permanent residents;

9. *Calls upon* Member States to require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) (“the Committee”), and further *calls upon* Member States to report any such departure from their territories, or such attempted entry into or transit through their territories, of such individuals to the Committee, as well as sharing this information with the State of residence or nationality, as appropriate and in accordance with domestic law and international obligations;

10. *Stresses* the urgent need to implement fully and immediately this resolution with respect to foreign terrorist fighters, *underscores* the particular and urgent need to implement this resolution with respect to those foreign terrorist fighters who are associated with ISIL, ANF and other cells, affiliates, splinter groups or derivatives of Al-Qaida, as designated by the Committee, and *expresses* its readiness to consider designating, under resolution 2161 (2014), individuals associated with Al-Qaida who commit the acts specified in paragraph 6 above;

International Cooperation

11. *Calls upon* Member States to improve international, regional, and subregional cooperation, if appropriate through bilateral agreements, to prevent the travel of foreign terrorist fighters from or through their territories, including through increased sharing of information for the purpose of identifying foreign terrorist fighters, the sharing and adoption of best practices, and improved understanding of the patterns of travel by foreign terrorist fighters, and for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law;

12. *Recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *underlines* the importance of fulfilling this obligation with respect to such investigations or proceedings involving foreign terrorist fighters;

13. *Encourages* Interpol to intensify its efforts with respect to the foreign terrorist fighter threat and to recommend or put in place additional resources to support and encourage national, regional and international measures to monitor and prevent the transit of foreign terrorist fighters, such as expanding the use of INTERPOL Special Notices to include foreign terrorist fighters;

14. *Calls upon* States to help build the capacity of States to address the threat posed by foreign terrorist fighters, including to prevent and interdict foreign terrorist fighter travel across land and maritime borders, in particular the States neighbouring zones of armed conflict where there are foreign terrorist fighters, and *welcomes* and *encourages* bilateral assistance by Member States to help build such national capacity;

Countering Violent Extremism in Order to Prevent Terrorism

15. *Underscores* that countering violent extremism, which can be conducive to terrorism, including preventing radicalization, recruitment, and mobilization of individuals into terrorist groups and becoming foreign terrorist fighters is an essential element of addressing the threat to international peace and security posed by foreign terrorist fighters, and *calls upon* Member States to enhance efforts to counter this kind of violent extremism;

16. *Encourages* Member States to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, address

the conditions conducive to the spread of violent extremism, which can be conducive to terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society and adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion;

17. *Recalls* its decision in paragraph 14 of resolution 2161 (2014) with respect to improvised explosive devices (IEDs) and individuals, groups, undertakings and entities associated with Al-Qaida, and *urges* Member States, in this context, to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources, including audio and video, to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law;

18. *Calls upon* Member States to cooperate and consistently support each other's efforts to counter violent extremism, which can be conducive to terrorism, including through capacity building, coordination of plans and efforts, and sharing lessons learned;

19. *Emphasizes* in this regard the importance of Member States' efforts to develop non-violent alternative avenues for conflict prevention and resolution by affected individuals and local communities to decrease the risk of radicalization to terrorism, and of efforts to promote peaceful alternatives to violent narratives espoused by foreign terrorist fighters, and *underscores* the role education can play in countering terrorist narratives;

United Nations Engagement on the Foreign Terrorist Fighter Threat

20. *Notes* that foreign terrorist fighters and those who finance or otherwise facilitate their travel and subsequent activities may be eligible for inclusion on the Al-Qaida Sanctions List maintained by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) where they participate in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of, Al-Qaida, supplying, selling or transferring arms and related materiel to, or recruiting for, or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof, and *calls upon* States to propose such foreign terrorist fighters and those who facilitate or finance their travel and subsequent activities for possible designation;

21. *Directs* the Committee established pursuant to resolution 1267 (1999) and 1989 (2011) and the Analytical Support and Sanctions Monitoring Team, in close cooperation with all relevant United Nations counter-terrorism bodies, in particular CTED, to devote special focus to the

threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida;

22. *Encourages* the Analytical Support and Sanctions Monitoring Team to coordinate its efforts to monitor and respond to the threat posed by foreign terrorist fighters with other United Nations counter-terrorism bodies, in particular the CTITF;

23. *Requests* the Analytical Support and Sanctions Monitoring Team, in close cooperation with other United Nations counter-terrorism bodies, to report to the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) within 180 days, and provide a preliminary oral update to the Committee within 60 days, on the threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida, including:

(a) a comprehensive assessment of the threat posed by these foreign terrorist fighters, including their facilitators, the most affected regions and trends in radicalization to terrorism, facilitation, recruitment, demographics, and financing; and

(b) recommendations for actions that can be taken to enhance the response to the threat posed by these foreign terrorist fighters;

24. *Requests* the Counter-Terrorism Committee, within its existing mandate and with the support of CTED, to identify principal gaps in Member States' capacities to implement Security Council resolutions 1373 (2001) and 1624 (2005) that may hinder States' abilities to stem the flow of foreign terrorist fighters, as well as to identify good practices to stem the flow of foreign terrorist fighters in the implementation of resolutions 1373 (2001) and 1624 (2005), and to facilitate technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, especially those in the most affected regions, including through the development, upon their request, of comprehensive counter-terrorism strategies that encompass countering violent radicalization and the flow of foreign terrorist fighters, recalling the roles of other relevant actors, for example the Global Counterterrorism Forum;

25. *Underlines* that the increasing threat posed by foreign terrorist fighters is part of the emerging issues, trends and developments related to resolutions 1373 (2001) and 1624 (2005), that, in paragraph 5 of resolution 2129 (2013), the Security Council directed CTED to identify, and therefore merits close attention by the Counter-Terrorism Committee, consistent with its mandate;

26. *Requests* the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and the Counter-Terrorism Committee to update the Security Council on their respective efforts pursuant to this resolution;

27. *Decides* to remain seized of the matter.

67. Resolution 2195 (2014)

THREATS TO INTERNATIONAL PEACE AND SECURITY (ADDRESSING THE NEED COLLECTIVELY TO PREVENT AND COMBAT TERRORISM IN ALL ITS FORMS AND MANIFESTATIONS, INCLUDING TERRORISM BENEFITTING FROM TRANSNATIONAL ORGANIZED CRIME)

*Adopted by the Security Council at its 7351st meeting,
on 19 December 2014*

The Security Council,

Reaffirming its primary responsibility for the maintenance of international peace and security,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Reaffirming further that terrorism cannot and should not be associated with any religion, nationality, or civilization,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Gravely concerned by the financing of, and financial and other resources obtained by terrorists, and underscoring that these resources will support their future terrorist activities,

Reaffirming the need to prevent and suppress the financing of terrorist acts,

Expressing concern that terrorists benefit from transnational organized crime in some regions, including from the trafficking of arms, persons, drugs, and artefacts and from the illicit trade in natural resources including gold and other precious metals and stones, minerals, wildlife, charcoal and oil, as well as from kidnapping for ransom and other crimes including extortion and bank robbery,

Stressing that the development and maintenance of fair and effective criminal justice systems should be a fundamental basis of any strategy to counter terrorism and transnational organized crime,

Noting the Communiqué of the African Union Peace and Security Council Summit on countering violent extremism and terrorism held in Nairobi on 2 September 2014, and calling on UN counter-terrorism entities, within existing mandates, and Member States to provide

assistance and capacity-building towards Africa's efforts to counter violent extremism and terrorism,

Gravely concerned that in some cases individuals, groups, undertakings and entities associated with Al-Qaida continue to profit from involvement in transnational organized crime, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of resolution 2161 (2014) as a significant tool in combating terrorist activity,

Urging in this respect, all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999), 1333 (2000) and 1989 (2011) ("the Al-Qaida Sanctions List") by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of resolution 2161 (2014),

Recalling its recent condemnation in resolution 2170 (2014) of any engagement in direct or indirect trade involving ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and its reiteration that such engagement could constitute financial support for entities designated by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) ("the Committee") and may lead to further listings by the Committee,

Deeply concerned that terrorist groups benefiting from transnational organized crime may contribute to undermining affected States, specifically their security, stability, governance, social and economic development,

Reaffirming the need to increase attention to women, peace and security issues in all relevant thematic areas of work on its agenda, including in threats to international peace and security caused by terrorist acts, and noting the importance of incorporating the participation of women and youth in developing strategies to counter terrorism and violent extremism,

Emphasizing the need to address conditions conducive to the spread of terrorism,

Emphasizing that the combined presence of terrorism, violent extremism, and transnational organized crime may exacerbate conflicts in affected regions, including in Africa, and *noting* that terrorist groups benefiting from transnational organized crime can, in some cases and in some regions, complicate conflict prevention and resolution efforts,

Seriously concerned, in this regard, by recent examples of terrorist groups, including those benefiting from transnational organized crime, attacking United Nations personnel,

Recalling its resolution 2133 (2014) and *strongly condemning* incidents of kidnapping and hostage-taking committed by terrorist groups for any purpose, including raising funds or gaining political concessions, and expressing its determination to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law,

Noting recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, noting the work of the Global Counterterrorism Forum (GCTF), in particular its recent adoption of a comprehensive set of good practices to address the foreign terrorist fighter phenomenon, and its publication of several other framework documents and good practices, including in the areas of countering violent extremism, criminal justice, prisons, kidnapping for ransom, providing support to victims of terrorism, and community-oriented policing, to assist interested States with the practical implementation of the United Nations counter-terrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, *stressing* in this regard the important role the United Nations plays in leading and coordinating this effort,

Recognizing that a comprehensive approach to defeat terrorism is required involving national, regional, subregional and multilateral action,

Noting the important contribution that public-private partnerships can make in efforts to prevent and combat criminal activities, such as transnational organized crime, corruption and terrorism,

Reaffirming its respect for the sovereignty, territorial integrity and political independence of all States in accordance with the Charter,

Reiterating the obligation of Member States to prevent the movement of terrorists or terrorist groups, in accordance with applicable international law, by, *inter alia*, effective border controls,

1. *Stresses* the need to work collectively to prevent and combat terrorism in all its forms and manifestations, including terrorism benefiting from transnational organized crime;

2. *Calls upon* Member States to strengthen border management to effectively prevent the movement of terrorists and terrorist groups, including those benefiting from transnational organized crime;

3. *Urges as a matter of priority* that Member States ratify, accede to, and implement the relevant international conventions, such as the

Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000, the Protocols thereto and the United Nations Convention against Corruption of 2003, and the international counter-terrorism conventions and protocols;

4. *Requests* the relevant United Nations entities to assist Member States, upon their request, and within existing mandates and resources, to implement the relevant international legal instruments relating to terrorism, and to develop their capacity to effectively respond to, prevent, investigate, and prosecute terrorist acts;

5. *Stresses* the importance of good governance and the need to fight against corruption, money-laundering and illicit financial flows, in particular through the implementation of the United Nations Convention against Corruption and the comprehensive international standards set forth in the Financial Action Task Force's (FATF) revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, including by adopting and effectively implementing legislative and regulatory measures, to enable the competent domestic authorities to freeze or seize, confiscate and manage criminal assets, in order to combat illicit financial activity including terrorist financing and money-laundering, and encourages the States of the African region to further their engagement within the FATF-style regional bodies (FSRBs), such as the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA), the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG), and the Middle East and North Africa Financial Action Task Force in promoting capacity and cooperation (MENAFATF);

6. *Recalls* the obligations referred to in operative paragraph 2 (e) of resolution 1373 (2001) and *recalls* them in particular with regard to terrorist attacks against UN staff, peacekeepers and installations;

International and regional cooperation

7. *Further stresses* the importance of strengthening transregional and international cooperation on a basis of a common and shared responsibility to counter the world drug problem and related criminal activities, and underlines that it must be addressed in a comprehensive, balanced and multidisciplinary manner;

8. *Encourages* Member States and relevant organizations, as appropriate, to enhance cooperation and strategies to prevent terrorists from benefiting from transnational organized crime, and to build the capacity to secure their borders against and investigate and prosecute

such terrorists and transnational organized criminals working with them, including through the strengthening of national, regional, and global systems to collect, analyse and exchange information, including law enforcement and intelligence information;

9. *Commends* in this regard, the regional cooperative mechanisms in Africa, notably, the Sahel Fusion and Liaison Unit, the Nouakchott Process on the Enhancement of Security Cooperation and the Operationalization of the African Peace and Security Architecture in the Sahel-Saharan Region, the AU-led Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army and the Lake Chad Basin Commission Multinational Joint Task Force and its Regional Intelligence Fusion Unit as well as the Economic Community of West African States;

10. *Commends further* the initiatives to strengthen security and border control in the region of North Africa and the Sahel-Saharan region, with the adoption of the Action Plan on border security, during the first Regional Ministerial conference, held in Tripoli, in March 2012, and the creation of a regional training centre to enhance border security, during the second Regional Ministerial conference, held in Rabat, in November 2013, as well as other subregional initiatives supported by the United Nations;

11. *Urges* all Member States, notably Sahel and Maghreb States, to coordinate their efforts to prevent the serious threat posed to international and regional security by terrorist groups crossing borders and seeking safe havens in the Sahel region, to enhance cooperation and coordination in order to develop inclusive and effective strategies to combat in a comprehensive and integrated manner the activities of terrorist groups, and to prevent the expansion of those groups as well as to limit the proliferation of all arms and transnational organized crime;

12. *Welcomes* and supports the establishment of AFRIPOL and *takes note* of the elaboration of an African arrest warrant for persons charged with or convicted of terrorist acts;

13. *Calls on* Member States in Africa to support the implementation of the African Union Plan of Action on Drug Control 2013–2018;

Capacity-building and the UN coordination

14. *Calls upon* Member States to help build the capacity of other Member States where necessary and appropriate and upon request, to address the threat posed by terrorism benefiting from transnational organized crime, and welcomes and encourages bilateral assistance by Member States to help build such national, subregional or regional capacity;

15. *Recognizes* the significant capacity and coordination challenges many Member States face in countering terrorism and violent extremism, and preventing terrorist financing, recruitment and all other forms of support to terrorist organizations, including terrorists benefitting from transnational organized crime, *commends* work under way by the Counter-Terrorism Committee and its Executive Directorate (CTED) to identify capacity gaps and to facilitate technical assistance to strengthen the implementation of resolutions 1373 (2001) and 1624 (2005), *encourages* Member States to continue cooperating with the Counter-Terrorism Committee and CTED on the development of comprehensive and integrated national, subregional and regional counter-terrorism strategies, *highlights* the important role that Counter-Terrorism Implementation Task Force (CTITF) entities, in particular the United Nations Office of Drugs and Crime, as well as the United Nations Centre for Counter-Terrorism, and other providers of capacity-building assistance should play in technical assistance delivery, and requests the relevant entities of the United Nations, whenever appropriate and within existing resources, to take into account in their technical assistance to counter terrorism the elements necessary for addressing terrorism benefitting from transnational organized crime;

16. *Calls on* relevant entities of the United Nations and other relevant international and regional organizations to support the development and strengthening of the capacities of national and regional institutions to address terrorism benefitting from transnational organized crime, in particular law enforcement and counter-terrorism agencies, and in this regard notes the advisory role of the Peacebuilding Commission, in accordance with its mandate;

17. *Encourages* the United Nations Counter-Terrorism Implementation Task Force to consider expanding its I-ACT Initiative to the countries of the G5-Sahel and Central Africa, upon their request;

18. *Reiterates* that United Nations peacekeeping and special political missions, may, if mandated by the Council, assist in capacity-building for host governments, as requested, to implement commitments under existing global and regional instruments and to address the illicit trafficking of small arms and light weapons, including *inter alia* through weapons collection, disarmament, demobilization and reintegration programmes, enhancing physical security and stockpile management practices, record keeping and tracing capacities, development of national export and import control systems, enhancement of border security, and strengthening judicial institutions, policing and other law enforcement capacities;

19. *Encourages* information sharing, where relevant and appropriate, between Special Representatives of the Secretary-General, the Department of Peacekeeping Operations, the Department of Political

Affairs, the Counter-Terrorism Executive Directorate, the UN Office on Drugs and Crime, the Counter-Terrorism Implementation Task Force and the United Nations Development Programme, within existing mandates and resources, when considering means to address, in a comprehensive and integrated manner, transnational organized crime, terrorism and violent extremism which can be conducive to terrorism;

Reporting

20. *Requests* the Secretary-General to submit to the Council a report on the efforts of the United Nations entities to address the threat of terrorists benefiting from transnational organized crime in affected regions, including Africa, with respect to matters with which the Council is seized, with input from the relevant entities of the United Nations system including the UNODC, CTED, the Analytical Support and Sanctions Monitoring Team, and other relevant CTITF entities;

21. *Further requests* that the report include recommendations of concrete options for strengthening Member States' capabilities, including financing such proposed UN projects and activities to build capacity with existing resources and contributions in the UN system, as well as UN activities to reduce the negative impacts of terrorists benefiting from transnational organized crime including those relevant to its conflict resolution efforts with a focus on border security, counter-terrorist financing, and anti-money-laundering, and that the report be submitted to the Council no later than six months from the adoption of this resolution;

22. *Recalls* the request, in resolution 2178 (2014), to the Analytical Support and Sanctions Monitoring Team, in close cooperation with all relevant United Nations counter-terrorism bodies, to report to the Committee pursuant to resolution 1267 (1999) and 1989 (2011) within 180 days, on the threat posed by foreign terrorist fighters recruited by or joining ISIL, ANF, and all groups, undertakings, and entities associated with Al-Qaida, and reiterates that this report should also focus on trends related to foreign terrorist fighters joining and working with all terrorist groups listed on the 1267 Al-Qaida Sanctions List, and should include an oral briefing to the Committee and a Committee brief to the Security Council at the next regular briefing on counter-terrorism on those operating in Africa.

68. Resolution 2309 (2016)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (STRENGTHENING AVIATION SECURITY MEASURES
IN THE GLOBAL AVIATION SYSTEM TO SECURE A STABLE AND
PEACEFUL GLOBAL ENVIRONMENT)

*Adopted by the Security Council at its 7775th meeting,
on 22 September 2016*

The Security Council,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Noting with concern that the terrorism threat has become more diffuse, with an increase, in various regions of the world, of terrorist acts including those motivated by intolerance or violent extremism, and expressing its determination to combat this threat,

Reaffirming its commitment to the sovereignty, including sovereignty over the airspace above a State's territory, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Recognizing the vital importance of the global aviation system to economic development and prosperity, and of all States strengthening aviation security measures to secure a stable and peaceful global environment, and *further recognizing* that secure air services in this regard enhance transportation, connectivity, trade, political and cultural links between States, and that public confidence in the security of air transport is vital,

Noting that the global nature of aviation means that States are dependent on the effectiveness of each others' aviation security systems for the protection of their citizens and nationals and relevant aspects of their national security, bearing in mind the common goal of the international community in this regard, which means States are dependent on each other to provide a common secure aviation environment,

Expressing concern that terrorist groups continue to view civil aviation as an attractive target, with the aim of causing substantial loss of life, economic damage and disruption to connectivity between States, and that the risk of terrorist attacks against civil aviation may affect all regions and Member States,

Expressing grave concern over terrorist attacks against civil aviation and *strongly condemning* such attacks,

Also expressing concern that civil aviation may be used as a transportation means by Foreign Terrorist Fighters, and *noting* in this regard that Annex 9—Facilitation to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the “Chicago Convention”) contains standards and recommended practices relevant to the detection and prevention of terrorist threats involving civil aviation,

Reaffirming that terrorist attacks against civil aviation, like any act of international terrorism, constitute a threat to international peace and security, and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed, and *reaffirming* the need to combat by all means threats to international peace and security caused by terrorist acts, in accordance with the Charter of the United Nations and other international law, in particular international human rights law, international refugee law, and international humanitarian law,

Expressing particular concern that terrorist groups are actively seeking ways to defeat or circumvent aviation security, looking to identify and exploit gaps or weaknesses where they perceive them, *noting* in this regard the high priority risk areas for aviation as identified by the Council of the International Civil Aviation Organization (ICAO), in its Global Risk Context Statement, and *stressing* the need for international aviation security measures to keep pace with the evolution of this threat,

Affirming the role of the International Civil Aviation Organization (ICAO) as the United Nations organization responsible for developing international aviation security standards, monitoring their implementation by States and its role in assisting states in complying with these standards, *noting* in this regard ICAO’s “no country left behind” initiative, and *noting also* the adoption at the 37th Session of the ICAO Assembly in 2010 of the Declaration on Aviation Security and the ICAO Comprehensive Aviation Security Strategy, both of which have become key instruments of leadership and engagement for the Organization in carrying out its aviation security programme, and *noting* the intention to develop a Global Aviation Security Plan as the future global framework for progressive aviation security enhancement,

Noting that the protection of civil aviation from acts of unlawful interference is addressed by the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 1963), by the Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 1970), by the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montréal, 1971), by the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the

Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montréal, 1988), by the Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montréal, 1991), by the Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing, 2010), by the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing, 2010), by the Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Montréal, 2014) and by bilateral agreements for the suppression of such acts,

Reaffirming its call upon all States to become party to the relevant international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party,

1. *Affirms* that all States have the responsibility to protect the security of citizens and nationals of all nations against terrorist attacks on air services operating within their territory, in a manner consistent with existing obligations under international law;

2. *Affirms* also that all States have an interest to protect the safety of their own citizens and nationals against terrorist attacks conducted against international civil aviation, wherever these may occur, in accordance with international law, including international human rights law and international humanitarian law;

3. *Notes* that Annex 17—Security to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the “Chicago Convention”), provides that contracting States shall develop and implement regulations, practices, and procedures to safeguard civil aviation against acts of unlawful interference and to ensure that such measures are capable of responding rapidly to meet any increased security threat, and further *notes* that Annex 17 to the Chicago Convention establishes additional standards to safeguard international civil aviation against unlawful interference, to which contracting States shall conform in accordance with the Chicago Convention, and that Annex 17 to the Chicago Convention also provides recommended practices, and that both standards and recommended practices are supported by detailed guidance on their effective implementation;

4. *Welcomes and supports* the work of ICAO to ensure that all such measures are continuously reviewed and adapted to meet the ever-evolving global threat picture, and *calls upon* ICAO, within its mandate, to continue and enhance its efforts to establish compliance with international aviation security standards through effective implementation on the ground, and to assist Member States in this regard;

5. *Calls upon* all States to work within ICAO to ensure that its international security standards are reviewed and adapted to effectively

address the threat posed by terrorist targeting of civil aviation, to strengthen and promote the effective application of ICAO standards and recommended practices in Annex 17, and to assist ICAO to continue to enhance audit, capacity development and training programmes in order to support their implementation;

6. *Further calls upon* all States, as part of their efforts to prevent and counter terrorist threats to civil aviation and acting consistent with relevant international legal instruments and framework documents, to:

(a) Ensure that effective, risk-based measures are in place at the airports within their jurisdiction, including through enhancing screening, security checks, and facility security, to detect and deter terrorist attacks against civil aviation and to review and assess such measures regularly and thoroughly to ensure that they reflect the ever-evolving threat picture and are in accordance with ICAO standards and recommended practices;

(b) Take all necessary steps to ensure that these measures are effectively implemented on the ground on a continuing and sustainable basis, including through the provision of the required resources, the use of effective quality control and oversight processes, and the promotion of an effective security culture within all organizations involved in civil aviation;

(c) Ensure that such measures take into account the potential role of those with privileged access to areas, knowledge or information that may assist terrorists in planning or conducting attacks;

(d) Urgently address any gaps or vulnerabilities that may be highlighted by ICAO or national self-risk assessment or audit processes;

(e) Strengthen security screening procedures and maximize the promotion, utilization and sharing of new technologies and innovative techniques that maximize the capability to detect explosives and other threats, as well as strengthening cooperation and collaboration and sharing experience in regards to developing security check technologies;

(f) Further engage in dialogue on aviation security and cooperate by sharing information, to the extent possible, about threats, risks, and vulnerabilities, by collaborating on specific measures to address them and by facilitating, on a bilateral basis, mutual assurance about the security of flights between their territories;

(g) Require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015);

7. *Urges* States able to do so to assist in the delivery of effective and targeted capacity development, training and other necessary resources, technical assistance, technology transfers and programmes, where it is needed to enable all States to achieve the outcomes set out above, in particular with regards to paragraphs 6 (b) and 6 (e);

8. *Calls upon* all States to strengthen their international and regional cooperation to strengthen information-sharing, border control, law enforcement and criminal justice to better counter the threat posed by foreign terrorist fighters and returnees;

9. *Urges* all States to ensure that all their relevant domestic departments, agencies and other entities work closely and effectively together on matters of aviation security;

10. *Encourages* continued cooperation between ICAO and the Counter-Terrorism Executive Directorate (CTED) on identifying gaps and vulnerabilities relevant to aviation security, *welcomes also* the cooperation between ICAO and the Counter-Terrorism Implementation Task Force to facilitate the delivery of technical assistance and capacity building in the field of aviation security, *encourages* closer cooperation between ICAO and the Counter-Terrorism Committee and CTED, and *requests* CTED to continue to work with ICAO to address aviation security in all relevant CTED activities and reports, in particular country assessments;

11. *Requests* the Counter-Terrorism Committee (CTC) to hold a Special Meeting within 12 months, in cooperation with ICAO, on the issue of terrorist threats to civil aviation, and invites the Secretary-General of ICAO and the Chair of the CTC to brief the Council on the outcomes of this meeting in 12 months time;

12. *Decides* to remain seized of the matter.

69. Resolution 2322 (2016)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (ADDRESSING THE GROWING INVOLVEMENT OF
TERRORIST GROUPS, ESPECIALLY IN AREAS OF CONFLICT, IN THE
DESTRUCTION AND THE TRAFFICKING IN CULTURAL PROPERTY
AND RELATED OFFENCES)

*Adopted by the Security Council at its 7831st meeting,
on 12 December 2016*

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), 2129 (2013), 2133 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2214 (2015), 2249 (2015), 2253 (2015) and 2309 (2016),

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed,

Reaffirming that terrorism should not be associated with any religion, nationality, civilization or ethnic group,

Condemning terrorists and terrorist groups, in particular the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property, and greatly undermining stability,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Gravely concerned that in some cases terrorists or terrorist groups, in particular ISIL, Al-Qaida, and associated individuals, groups, undertakings,

and entities continue to profit from involvement in transnational organized crime, and *expressing concern* that terrorists benefit from transnational organized crime in some regions, including from the trafficking of arms, persons, drugs, and artifacts, and from the illicit trade in natural resources including gold and other precious metals and stones, minerals, wildlife, charcoal and oil, as well as from kidnapping for ransom and other crimes including extortion and bank robbery,

Expressing concern at the continuing use, in a globalized society, by terrorists and their supporters, of information and communications technologies, in particular the Internet, to facilitate terrorist acts, and *condemning* their use to incite, recruit, fund, or plan terrorist acts,

Expressing concern also at the continued flow of international recruits to ISIL, Al-Qaida, and associated groups, and *recalling* its resolution 2178 (2014) deciding that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting, or equipping of foreign terrorist fighters and the financing of their travel and of their activities,

Particularly concerned at the growing involvement of terrorist groups, especially in areas of conflict, in the destruction and the trafficking in cultural property and related offences, and recognizing the indispensable role of international cooperation in crime prevention and criminal justice responses to combat such trafficking and related offences in a comprehensive and effective manner,

Reiterating the obligation of Member States to prevent the movement of terrorists and terrorist groups, in accordance with applicable international law, by, *inter alia*, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists, and financing that would support terrorists,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Underlining the importance of strengthening international cooperation, including by investigators, prosecutors and judges, in order to prevent, investigate and prosecute terrorist acts, and *recognizing* the persisting challenges associated with strengthening international cooperation in combating terrorism including in stemming the flow of FTFs to and returning from conflict zones, in particular due to the cross border nature of the activity,

Stressing that the development and maintenance of fair and effective criminal justice systems should be a fundamental basis of any strategy to counter terrorism and transnational organized crime,

Recalling that timely cooperation and action, in accordance with international obligations, can help States to prevent FTFs from travelling to conflict zones, develop effective strategies to deal with returnees, preserve through law enforcement and judicial authorities critical evidence for legal proceedings, and facilitate the implementation of procedures for prosecution,

Noting the significant increase in the requests for cooperation in gathering digital data and evidence from the Internet and *stressing* the importance of considering the re-evaluation of methods and best practices, as appropriate, in particular, related to investigative techniques and electronic evidence,

Calling upon Member States to continue exercising vigilance over relevant financial transactions and improve information-sharing capabilities and practices, in line with applicable international and national law, within and between governments through relevant authorities including judicial authorities and channels, including law enforcement, intelligence, security services, and financial intelligence units, and also *calling upon* Member States to improve integration and utilization of financial intelligence with other types of information available, such as that provided by the private sector to national governments, to more effectively counter the terrorist financing threats posed by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, including through actions related to investigative techniques, evidence gathering and prosecution,

Calling upon Member States to continue information-sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on individuals and entities implicated in terrorist activities, in particular their supply of weapons and sources of material support, and on the ongoing international counter-terrorism cooperation including among special services, security agencies and law enforcement organizations and criminal justice authorities,

Welcoming the efforts by UNODC to upgrade its existing networks of Central Authorities to encompass the ones responsible for counter terrorism matters,

Recalling that the obligation in paragraph 1(d) of resolution 1373 (2001) also applies to making funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act,

1. *Reiterates* its call upon all states to become party to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party;

2. *Reaffirms* that those responsible for committing or otherwise responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights in this context, must be held accountable;

3. *Calls upon* States to share, where appropriate, information about foreign terrorist fighters and other individual terrorists and terrorist organizations, including biometric and biographic information, as well as information that demonstrates the nature of an individual's association with terrorism *via* bilateral, regional and global law enforcement channels, in compliance with international and domestic national law and policy, and *stresses* the importance of providing such information to national watch lists and multilateral screening databases;

4. *Recognizes* the important role of national legislation in enabling international judicial and law enforcement cooperation on terrorist-related offences, and *calls upon* Member States to enact, and where appropriate, review their respective counterterrorism legislation in view of the evolving threat posed by terrorist groups and individuals;

5. *Calls upon* States to consider, where appropriate, downgrading for official use intelligence threat data on foreign terrorist fighters and individual terrorists, to appropriately provide such information to front-line screeners, such as immigration, customs and border security, and to appropriately share such information with other concerned States and relevant international organizations in compliance with international and domestic national law and policy;

6. *Emphasizes* the importance of States establishing as a serious criminal offence in their domestic laws and regulations the willful violation of the prohibition on financing of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a direct link to a specific terrorist act, and *urges* States to exchange information about such activity consistent with international and national law and *emphasizes* further the recent FATF guidance on Recommendation 5 on the criminalization of terrorist financing for any purpose, in line with resolutions 2199 (2015) and 2253 (2015);

7. *Further encourages* States to cooperate in the implementation of targeted financial and travel sanctions against terrorist groups and individual terrorists under resolution 1373 (2001) and the implementation of targeted financial and travel sanctions and arms embargo against those listed under 2253 (2015) by sharing information with other relevant States

and international organizations about such individuals and groups to the greatest degree possible, consistent with international and national law;

8. *Recalls* that all States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *urges* States to act in accordance with their obligations under international law, in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups;

9. *Calls upon* all States to:

(a) Exchange information, in accordance with international and domestic law and cooperate on administrative, police and judicial matters to prevent the commission of terrorist acts and to counter the FTF threat, including returnees;

(b) Consider the possibility of allowing through appropriate laws and mechanisms, the transfer of criminal proceedings, as appropriate, in terrorist-related cases;

(c) Enhance cooperation to prevent terrorists from benefiting from transnational organized crime, to investigate and to build the capacity to prosecute such terrorists and transnational organized criminals working with them;

(d) Enhance cooperation to deny safe haven to those who finance, plan, support, commit terrorist acts, or provide safe havens;

10. *Calls upon all* States to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

11. *Urges* also as a matter of priority that Member States consider, as appropriate, ratifying, acceding to, and implementing other relevant international conventions to support international cooperation in criminal matters, such as the UN Convention against Transnational Organized Crime of 2000 and the Protocols thereto;

12. *Urges* States to develop, including, upon request, with the assistance of UNODC and in close cooperation with UNESCO and INTERPOL, broad law enforcement and judicial cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences that benefit or may benefit terrorist or terrorist groups, and to introduce effective national measures at the legislative and operational levels where appropriate, and in accordance with obligations and commitments under international law and national instruments, to

prevent and combat trafficking in cultural property and related offences, including considering to designate such activities that may benefit terrorist or terrorist groups, as a serious crime in accordance with article 2 of the UN Convention against Transnational Organized Crime;

13. *Calls upon* all States to:

- (a) Use applicable international instruments to which they are parties as a basis for mutual legal assistance and, as appropriate, for extradition in terrorism cases, and encourages States, in the absence of applicable conventions or provisions, to cooperate when possible on the basis of reciprocity or on a case by case basis;
- (b) Enact and, where appropriate, review and update extradition and mutual legal assistance laws in connection with terrorism-related offences, consistently with their international obligations, including their obligations under international human rights law, and to consider reviewing national mutual legal assistance laws and mechanisms related to terrorism and updating them as necessary in order to strengthen their effectiveness, especially in the light of the substantial increase in the volume of requests for digital data;
- (c) Consider strengthening implementation, and where appropriate, reviewing possibilities for enhancing the effectiveness of their respective bilateral and multilateral treaties concerning extradition and Mutual Legal Assistance in criminal matters related to counter-terrorism;
- (d) Consider ways within the framework of the implementation of existing applicable international legal instruments to simplify extradition and MLA requests in appropriate terrorism-related cases, while recognizing the need for due consideration, in light of the need to uphold relevant legal obligations;
- (e) Designate mutual legal assistance and extradition Central Authorities or other relevant criminal justice authorities and ensure that such authorities have adequate resources, training and legal authority, in particular for terrorism related offences;
- (f) Take measures, where appropriate, to update current practices on MLA regarding acts of terrorism, including considering, where appropriate, the use of electronic transfer of requests to expedite the proceedings between Central Authorities or, as appropriate, other relevant criminal justice authorities with full respect to existing treaty obligations;
- (g) Consider providing UNODC with information for its repository database with contacts and other relevant details of designated authorities;
- (h) Consider developing and participating in regional mutual legal assistance cooperation platforms and developing and enhancing

arrangements for expeditious cross-regional cooperation for terrorism related offences;

14. *Encourages* Member States to act cooperatively to prevent terrorists from recruiting, to counter their violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter narratives, while respecting human rights and fundamental freedoms and in compliance with obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

15. *Calls upon* all States, in conformity with international law, to consider establishing appropriate laws and mechanisms that allow for the broadest possible international cooperation, including the appointment of liaison officers, police to police cooperation, the creation/use, when appropriate, of joint investigation mechanisms, and enhanced coordination of cross-border investigations in terrorism cases, and also *calls upon* States to increase, where appropriate, their use of electronic communication and universal templates, in full respect for fair trial guarantees of the accused;

16. *Recognizes* the proven effectiveness of I-24/7, INTERPOL's secure global communication system, as well as its array of investigative and analytical databases, and its system of notices in the framework of the fight against terrorism, *encourages* States to increase the capacity of their National Central Bureaus to utilize them and to designate a 24 hour/seven days a week point of contact for this network and to take the necessary measures to ensure its adequate training in its use to counter terrorism and foreign terrorist fighters, including illicit international travel;

17. *Encourages also* States, to consider extending access to, and where appropriate, integrate into their national systems, the INTERPOL I-24/7 police information network beyond the National Central Bureaus to other national law enforcement entities at strategic locations such as remote border crossings, airports, customs and immigration posts or police stations;

18. *Encourages* Member States, international, regional and sub-regional organizations to consider the possibility of developing 24/7 networks to counter terrorism while taking into account their existing arrangements for cooperation, and in this regard, *takes note* of the creation of a 24 hours seven days a week point of contact cooperation network in the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (May 2015) to combat terrorism, in furtherance of the implementation of resolution 2178 (2014);

19. *Directs* the Counter Terrorism Committee, with the support of CTED to:

(a) Include in its dialogue with international, regional and sub-regional organizations and Member States their efforts to promote international law enforcement and judicial cooperation in counter-terrorism matters and to work closely with international, regional and subregional organizations and relevant UN bodies that have developed relevant networks and cross regional cooperation in order to facilitate international cooperation to counter terrorism and foreign terrorist fighters, including returnees, particularly by providing analysis on capacity gaps and recommendations based on CTED's country assessments;

(b) Identify gaps or trends in current international cooperation among Member States, including through CTC briefings to exchange information on good practices, and facilitate capacity building, including through sharing good practices and exchange of information in this regard;

(c) Work with CTITF entities, in particular UNODC, to identify areas where it is appropriate to deliver technical assistance to Member States, upon their request, to implement this resolution, including through the training of prosecutors, judges and other relevant officials involved in international cooperation, particularly by providing analysis on capacity gaps and recommendations based on CTED's country assessments;

(d) Identify and raise awareness on good practices on international judicial and law enforcement cooperation in counter-terrorism matters;

20. *Requests* UNODC to further enhance, in close consultation with the Counter-terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and of relevant United Nations resolutions and further requests UNODC, together with Member States, to continue to promote, *inter alia*, international cooperation in criminal matters related to terrorism, including foreign terrorist fighters, especially with regard to extradition and mutual legal assistance;

21. *Requests* the Counter Terrorism Executive Directorate, with the assistance of UNODC and in consultation with CTITF office to prepare a report on the current state of international law enforcement and judicial cooperation related to terrorism, identifying major gaps and providing the Counter Terrorism Committee with recommendations to address them within ten months;

22. *Requests* CTC to update the Council in twelve months on the implementation of this resolution.

70. Resolution 2354 (2017)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (ADDRESSING COUNTER TERRORIST NARRATIVES)

Adopted by the Security Council at its 7949th meeting, on 24 May 2017

The Security Council,

Recalling its resolutions 1373 (2001), 1624 (2005), 2178 (2014) and the Statement of its President (S/PRST/2016/6) of 11 May 2016,

Affirming its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations,

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Stressing that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality or civilization,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Urging Member States and the United Nations system to take measures, pursuant to international law, to address all drivers of violent extremism conducive to terrorism, both internal and external, in a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy,

Recalling the measures aimed at countering violent extremism in order to prevent terrorism, as outlined in resolution 2178 (2014),

Stressing also that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights law, refugee law, and humanitarian law,

Reaffirming that acts, methods, and practices of terrorism are contrary to the purposes and principles of the United Nations and that financing, planning and inciting terrorist acts and supporting terrorist

organizations are also contrary to the purposes and principles of the United Nations,

Recalling the right to freedom of expression, reflected in Article 19 of the Universal Declaration of Human Rights adopted by the General Assembly in 1948 (“the Universal Declaration”), and recalling also the right to freedom of expression in Article 19 of the International Covenant on Civil and Political Rights adopted by the General Assembly in 1966 (“ICCPR”) and that any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of Article 19 of the ICCPR,

Condemning in the strongest terms the incitement of terrorist acts and repudiating attempts at the justification or glorification (apologie) of terrorist acts that may incite further terrorist acts,

Stressing the importance of the role of the media, civil and religious society, the business community and educational institutions in those efforts to enhance dialogue and broaden understanding, and in promoting tolerance and coexistence, and in fostering an environment which is not conducive to incitement of terrorism, as well as in countering terrorist narratives,

Noting with concern that terrorist craft distorted narratives that are based on the misinterpretation and misrepresentation of religion to justify violence, which are utilized to recruit supporters and Foreign Terrorist Fighters (FTFs), mobilize resources, and garner support from sympathizers, in particular by exploiting information and communications technologies, including through the Internet and social media,

Noting as well the urgent need to globally counter the activities of the Islamic State in Iraq and the Levant (ISIL, also known as Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities to incite and recruit to commit terrorist acts and recalling, in this regard and as reflected in the Statement of its President S/PRST/2016/6, its request to the Counter Terrorism Committee to present a proposal to the Security Council for a “comprehensive international framework” to effectively counter, in compliance with international law, the ways that ISIL (Da’esh), Al Qaida and associated individuals, groups, undertakings and entities use their narratives to encourage, motivate, and recruit others to commit terrorist acts,

1. *Welcomes* its document entitled “Comprehensive International Framework to Counter Terrorist Narratives” number S/2017/375 with recommended guidelines and good practices to effectively counter the ways that ISIL (Da’esh), Al Qaida and associated individuals, groups, undertakings and entities use their narratives to encourage, motivate, and recruit others to commit terrorist acts;

2. Stresses that Member States and all relevant United Nations entities should follow the subsequent guidelines while implementing the Comprehensive International Framework:

- (a) United Nations action in the field of countering terrorist narratives should be based on the United Nations Charter, including the principles of sovereignty, territorial integrity and political independence of all States;
- (b) Member States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism;
- (c) Relevant United Nations entities should ensure greater coordination and coherence with donors and recipients of counter-terrorism capacity-building, taking into account national perspectives, and with a view to strengthening national ownership;
- (d) To be more effective, counter-narrative measures and programs should be tailored to the specific circumstances of different contexts on all levels;
- (e) All measures taken by Member States to counter terrorism, including to counter terrorist narratives, must comply with their obligations under international law, including international human rights law, international refugee law, and international humanitarian law;
- (f) Efforts to counter terrorist narratives can benefit through engagement with a wide range of actors, including youth, families, women, religious, cultural, and education leaders, and other concerned groups of civil society;
- (g) States should consider supporting the efforts aimed at raising public awareness regarding counter terrorist narratives through education and media, including through dedicated educational programs to pre-empt youth acceptance of terrorist narratives;
- (h) The importance of promoting enhanced dialogue and broadened understanding among societies;
- (i) States should consider engaging, where appropriate, with religious authorities and community leaders, that have relevant expertise in crafting and delivering effective counter-narratives, in countering narratives used by terrorists and their supporters;
- (j) Counter-narratives should aim not only to rebut terrorists' messages, but also to amplify positive narratives, to provide credible alternatives and address issues of concern to vulnerable audiences who are subject to terrorist narratives;
- (k) Counter-narratives should take into account the gender dimension, and narratives should be developed that address specific concerns and vulnerabilities of both men and women;

(l) Continued research into the drivers of terrorism and violent extremism is necessary in order to develop more focused counter-narrative programmes;

3. *Directs* the Counter Terrorism Committee, with the support of the Counter-Terrorism Committee Executive Directorate (CTED), and in consultation with the Counter-Terrorism Implementation Task Force (CTITF) and other key actors, to facilitate international cooperation to implement the Comprehensive International Framework;

4. *Requests* the Counter-Terrorism Committee (CTC), in this regard, to:

(a) Continue to identify and compile existing good practices in countering terrorist narratives, in coordination with the CTITF office, the CTITF Working Group on Communications, and where appropriate in consultation with other relevant non-United Nations entities;

(b) Continue to review legal measures taken by States to enhance implementation of Security Council resolutions 1373 (2001), 1624 (2005) and 2178 (2014), and propose ways to strengthen international cooperation;

(c) Work with UNESCO, UNDP and other relevant United Nations agencies, through CTITF working groups, to promote, appropriate education-based efforts to recognize and prevent radicalization to violence and recruitment to terrorist groups;

(d) Contribute to efforts of the United Nations and its departments and agencies to develop models for effectively countering terrorist narratives, both online and offline;

(e) Further develop initiatives to strengthen public-private partnerships in countering terrorist narratives;

(f) Conduct outreach to entities with expertise and experience in crafting counter-narratives, including religious actors, civil society organizations, private-sector entities and others, to better inform the Committee's understanding of good practices;

(g) Work with outside partners, including members of the CTED Global Research Network, to identify possible ways to measure the impact and effectiveness of counter-narratives;

(h) Continue participating in meetings and workshops, at the global and regional levels, with the objective of highlighting and sharing relevant good practices more widely;

(i) Maintain an up-to-date list of national, regional and global counter narrative initiatives;

5. *Directs* the CTC, with the support of the CTED, to:

- (a) Organize at least one open meeting annually to review developments globally in countering terrorist narratives;
 - (b) Recommend ways for Member States regarding capacity building to enhance their efforts in the field of counter terrorist narratives, including through assistance provided by CTITF member entities and other assistance providers;
 - (c) Use the existing CTED Research network and create an annual work plan to provide advice and to support the work of the CTC and CTED on various matters related to countering terrorist narratives;
6. *Directs* the CTC, with the support of the CTED, as appropriate, and within their respective mandates, to include in the country assessments Member States efforts to counter terrorist narratives;
 7. *Emphasizes* the need for continued engagement between the CTC and CTED and all key actors in countering terrorist narratives;
 8. *Decides* to remain actively seized of the matter.

71. Resolution 2370 (2017)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (PREVENTING TERRORISTS FROM ACQUIRING WEAPONS)

Adopted by the Security Council at its 8017th meeting, on 2 August 2017

The Security Council,

Recalling its resolutions 1267 (1999), 1373 (2001), 1844 (2008), 1963 (2010), 2129 (2013), 2195 (2014), 2220 (2015), 2253 (2015), 2322 (2016), 2341 (2017), 2368 (2017),

Reaffirming its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations,

Reaffirming its respect for the sovereignty, territorial integrity and political independence of all States in accordance with the United Nations Charter,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Reaffirming that terrorism should not be associated with any religion, nationality, civilization or ethnic group,

Stressing also that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights law, refugee law, and humanitarian law,

Gravely concerned that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons in many regions of the world continue to pose threats to international peace and security, causes significant loss of life, contribute to instability and insecurity and continue to undermine the effectiveness of the Security Council in discharging its primary responsibility for the maintenance of international peace and security,

Strongly condemning the continued flow of weapons, including small arms and light weapons, military equipment, unmanned aircraft systems (UASs) and their components, and improvised explosive device (IED) components to and between ISIL (also known as Da'esh),

Al-Qaida, their affiliates, and associated groups, illegal armed groups and criminals, and encouraging Member States to prevent and disrupt procurement networks for such weapons, systems and components between ISIL (also known as Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities,

Recognizing that the illicit transfer, theft from national stockpiles and illicit craft production can be a source of small arms and light weapons which can enable terrorist groups to considerably increase their armed capabilities,

Noting with grave concern the increasing and frequent global use of improvised explosive devices (IED's) in terrorist attacks,

Stressing the paramount need to prevent illegal armed groups, terrorists and other unauthorized recipients from, and identify the networks that support them in, obtaining, handling, financing, storing, using or seeking access to all types of explosives, whether military or civilian, as well as other military or civilian materials and components that can be used to manufacture improvised explosive devices, including detonators, detonating cords and chemical components, while at the same time avoiding any undue restrictions on the legitimate use of those materials,

Stressing that the active participation and collaboration of all States and international, regional and subregional organizations is needed to impede, impair, isolate, and incapacitate the terrorist threat, and emphasizing the importance of implementing the United Nations Global Counter-Terrorism Strategy (GCTS), contained in General Assembly resolution 60/288 of 8 September 2006, and its subsequent reviews,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communications technologies, in particular the Internet, to facilitate terrorist acts, as well as their use to incite, recruit, fund, or plan terrorist acts,

Reiterating its call upon Member States to continue information-sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on individuals and entities implicated in terrorist activities, in particular their supply of weapons and sources of material support, and on the ongoing international counter-terrorism cooperation including among special services, security agencies and law enforcement organizations and criminal justice authorities,

Acknowledging the important contribution of relevant Council-mandated arms embargoes in helping to eliminate the supply of small arms and light weapons to terrorists, and *noting* the need to improve information sharing on possible arms embargo violations between groups of experts, peacekeeping missions within their mandates and other relevant United Nations entities,

Reaffirming its resolution 1373 (2001) and in particular its decisions that all States shall prevent and suppress the financing of terrorist acts and refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists,

Reaffirming the importance of full implementation of resolutions 2199 (2015), 2253 (2015) and 2368 (2017),

Urging all States, including States where ISIL is present, to prevent any trade, economic, and financial ties with ISIL (also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities, including through enhancing their border security efforts,

Recognizing the value of the “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects”, including measures aiming at achieving effective physical security and management of stockpiles of small arms and light weapons, as an important means to contribute to eliminating the supply of weapons to terrorists,

Noting with appreciation the efforts made by Member States, inter-governmental, regional and subregional organizations in addressing threats to international peace and security posed by the illicit trafficking of small arms and light weapons to terrorists, and *noting* the significant role of civil society and the private sector in supporting such efforts,

Noting the continuing coordination on counter-terrorism efforts between the Counter-Terrorism Committee (CTC) supported by the Counter Terrorism Committee Executive Directorate (CTED) and International Criminal Police Organization (INTERPOL), the World Customs Organization (WCO), the United Nations Office on Disarmament Affairs (UNODA), the United Nations Office on Drugs and Crime (UNODC), in particular on technical assistance and capacity-building, the Analytical Support and Sanctions Monitoring Team, the United Nations Mine Action Service (UNMAS) and all other United Nations bodies, and encouraging their further engagement with the United Nations Office of Counter-Terrorism (OCT) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

1. *Reaffirms its decision in resolution 1373 (2001)* that all States shall refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by eliminating the supply of weapons to terrorists, and stresses the importance of full and effective implementation of the relevant resolutions and appropriately addressing the issues related to the lack thereof;

2. *Calls upon* all states to consider becoming party to the related international and regional instruments, with a view to help eliminate the supply of weapons to terrorists, and to fully implement their respective obligations under those to which they are a party;

3. *Reaffirms* its intention to take appropriate measures, when needed, to strengthen relevant arms embargos' monitoring mechanisms which can help ensure the elimination of the supply of weapons to terrorists, in accordance with relevant Security Council resolutions;

4. *Encourages* Member States to take appropriate steps in accordance with international law to prevent and disrupt activity that would result in violations of relevant Council-mandated arms embargos;

5. *Recognizes* the need for Member States to undertake appropriate measures consistent with international law to address the illicit trafficking in small arms and light weapons, in particular to terrorists, including by enhancing, where appropriate and consistent with their domestic legal frameworks, national systems for collection and analysis of detailed data on illicit trafficking of such weapons to terrorists, and putting in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective control over the production, export, import, brokering, transit or retransfer of small arms and light weapons within their areas of jurisdiction, taking into consideration the "Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects" in order to prevent the illicit trafficking to terrorists of such weapons;

6. *Urges* Member States to undertake, as appropriate, the following measures, on the national level, to eliminate the supply of weapons to terrorists:

(a) Ensure the ability to take appropriate legal actions against those who are knowingly engaged in providing terrorists with weapons;

(b) Ensure proper physical security and management for stockpiles of small arms and light weapons;

(c) Encourage the implementation of marking and tracing procedures of small arms and light weapons to improve traceability of such weapons which could be provided to terrorists through illicit trafficking;

(d) Strengthen, where appropriate, their judicial, law enforcement and border-control capacities, and developing their investigation capabilities of arms-trafficking networks to address the link between transnational organized crime and terrorism;

7. *Emphasizes* the importance of Member States taking appropriate measures, at the national, regional and international levels, in accordance with international law, and consistent with their domestic legal framework, to prevent the illicit trafficking of weapons to terrorists

in conflict areas, and to prevent, within this context, looting or acquiring small arms and light weapons from national stockpiles by terrorists, and stresses in this regard on the importance of assisting States in those regions to enable them to monitor and control stockpiles of small arms and light weapons, in order to prevent terrorists from acquiring them;

8. *Urges* Member States to enhance, as appropriate, international and regional cooperation regarding training on good practices, in coordination with the International Criminal Police Organization (INTERPOL) and the World Customs Organization;

9. *Urges* Member States to fully implement the “Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects” and the International Tracing Instrument in order to assist in preventing terrorists from acquiring small arms and light weapons, in particular in conflict and post-conflict areas;

10. *Calls upon* Member States to raise awareness to the threats of IEDs, and enhance the institutional capabilities and resources for preventing and countering such threats, including by collaborating with the private sector;

11. *Recalls its decision* that Member States, in order to prevent ISIL (also known as Da’esh), Al-Qaida, and associated individuals, groups, undertakings, and entities from obtaining, handling, storing, using or seeking access to all types of explosives, whether military, civilian or improvised explosives, as well as to raw materials and components that can be used to manufacture IEDs or unconventional weapons, including (but not limited to) chemical components, detonators, detonating cord, or poisons, shall undertake appropriate measures to promote the exercise of enhanced vigilance by their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and storage of such materials, including through the issuance of good practices, and *further encourages* Member States to share information, establish partnerships, and develop national strategies and capabilities to counter IEDs;

12. *Encourages* Member States, as appropriate, to strengthen cooperation and the exchange of good practices with civil society, the public and private sectors, including with representatives of industry in combating the illicit manufacturing of and trafficking in small arms and light weapons and improvised explosive devices, including awareness-raising;

13. *Urges* Member States to act cooperatively to prevent terrorists from acquiring weapons, including through information and communications technologies, while respecting human rights and fundamental freedoms and in compliance with obligations under international law,

and *stresses* the importance of cooperation with civil society and the private sector in this endeavour, including through establishing public private partnerships;

14. *Stresses* the importance of international cooperation to prevent and eliminate the supply of weapons to terrorists, and encourages Member States in this regard to enhance in particular their judicial and law enforcement cooperation, consistent with their international obligations and domestic legal framework;

15. *Emphasizes* the importance of enhancing cooperation and coordination among the relevant UN entities, and in particular the relevant Security Council sanctions committees and subsidiary bodies, to assist in preventing any form of support, active or passive, to entities or persons involved in terrorist acts, including by eliminating the supply of weapons to terrorists;

16. *Directs* the Counter Terrorism Committee (CTC), with the support of the Counter-Terrorism Executive Directorate (CTED) to continue as appropriate, within their respective mandates, to examine Member States efforts to eliminate the supply of weapons to terrorists, as relevant to the implementation of resolution 1373 (2001) with the aim of identifying good practices, gaps and vulnerabilities in this field;

17. *Encourages* in this regard the CTC, with the support of CTED, as well as the UNOCT to continue working together to facilitate technical assistance and capacity building and to raise awareness in the field of eliminating the supply of weapons to terrorists, in particular by strengthening its dialogue with States and relevant international, regional and subregional organizations and working closely, including by sharing information, with relevant bilateral and multilateral technical assistance providers;

18. *Directs* the 1267/1989/2253 ISIL (also known as Da'esh) and Al-Qaida Sanctions Committee and the Analytical Support and Sanctions Monitoring Team, to continue to focus, including in its reports and updates, on the threat of supplying weapons to ISIL, (also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities;

19. *Encourages* the Analytical Support and Sanctions Monitoring Team to coordinate its efforts to monitor and respond to the threat posed by supplying weapons to ISIL, (also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities, with other United Nations counter-terrorism bodies, in particular CTED, as well as with the United Nations Office for Disarmament Affairs (UNODA);

20. *Decides* to remain seized of the matter.

72. Resolution 2396 (2017)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (ADDRESSING BORDER SECURITY AND INFORMATION SHARING, JUDICIAL MEASURES AND INTERNATIONAL COOPERATION, PROSECUTION, REHABILITATION AND REINTEGRATION STRATEGIES, AND RETURNING AND RELOCATING FOREIGN TERRORIST FIGHTERS)

*Adopted by the Security Council at its 8148th meeting,
on 21 December 2017*

The Security Council,

Reaffirming its resolutions 1267 (1999), 1325 (2000), 1368 (2001), 1373 (2001), 1566 (2004) 1624 (2005), 1894 (2009), 2106 (2013), 2133 (2014), 2150 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2242 (2015), 2249 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016), 2341 (2017), 2347 (2017), 2354 (2017), 2367 (2017), 2368 (2017), 2370 (2017), 2379 (2017) and its relevant presidential statements,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Reaffirming that terrorism poses a threat to international peace and security and that countering this threat requires collective efforts on national, regional and international levels on the basis of respect for international law and the Charter of the United Nations,

Emphasizing that terrorism and violent extremism conducive to terrorism cannot and should not be associated with any religion, nationality, or civilization,

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Stressing that Member States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism,

Reaffirming that Member States must ensure that any measures taken to counter terrorism comply with all their obligations under international law, in particular international human rights law, international refugee law, and international humanitarian law, *underscoring* that respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing with effective counter-terrorism measures,

and are an essential part of a successful counter-terrorism effort and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism, and *noting* that failure to comply with these and other international obligations, including under the Charter of the United Nations, is one of the factors contributing to increased radicalization to violence and fosters a sense of impunity,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Urging Member States and the United Nations system to take measures, pursuant to international law, to address all drivers of violent extremism conducive to terrorism, both internal and external, in a balanced manner as set out in the United Nations Global Counter-Terrorism Strategy,

Recalling Resolution 2178 and the definition of foreign terrorist fighters, and *expressing grave concern* over the acute and growing threat posed by foreign terrorist fighters returning or relocating, particularly from conflict zones, to their countries of origin or nationality, or to third countries,

Reaffirming its call on Member States to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists,

Expressing continued concern that international networks have been established and strengthened by terrorists and terrorist entities among states of origin, transit, and destination, through which foreign terrorist fighters and the resources to support them have been channelled back and forth,

Acknowledging that returning and relocating foreign terrorist fighters have attempted, organized, planned, or participated in attacks in their countries of origin or nationality, or third countries, including against “soft” targets, and that the Islamic State in Iraq and the Levant (ISIL) also known as Da’esh, in particular has called on its supporters and affiliates to carry out attacks wherever they are located,

Stressing the need for Member States to develop, review, or amend national risk and threat assessments to take into account “soft” targets in order to develop appropriate contingency and emergency response plans for terrorist attacks,

Expressing grave concern that foreign terrorist fighters who have joined entities such as (ISIL), the Al-Nusra Front (ANF) and other cells, affiliates, splinter groups or derivatives of ISIL, Al-Qaida or other terrorist groups, may be seeking to return to their countries of origin or nationality, or to relocate to third countries, and *recognizing* that

the threat of returning or relocating foreign terrorist fighters includes, among others, such individuals further supporting acts or activities of ISIL, Al-Qaida and their cells, affiliates, splinter groups, and derivative entities, including by recruiting for or otherwise providing continued support for such entities, and *stressing* the urgent need to address this particular threat,

Having regard to and highlighting the situation of individuals of more than one nationality who travel abroad for the purpose of the perpetration, planning, preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and may seek to return to their state of origin or nationality, or to travel to a third state, and *urging* States to take action, as appropriate, in compliance with their obligations under their domestic law and international law, including international human rights law,

Underlining the importance of strengthening international cooperation to address the threat posed by foreign terrorist fighters, including on information sharing, border security, investigations, judicial processes, extradition, improving prevention and addressing conditions conducive to the spread of terrorism, preventing and countering incitement to commit terrorist acts, preventing radicalization to terrorism and recruitment of foreign terrorist fighters, disrupting, preventing financial support to foreign terrorist fighters, developing and implementing risks assessments on returning and relocating foreign terrorist fighters and their families, and prosecution, rehabilitation and reintegration efforts, consistent with applicable international law,

Recognizing, in this regard, that foreign terrorist fighters may be travelling with family members they brought with them to conflict zones, with families they have formed or family members who were born while in conflict zones, *underscoring* the need for Member States to assess and investigate these individuals for any potential involvement in criminal or terrorist activities, including by employing evidence-based risk assessments, and to take appropriate action in compliance with relevant domestic and international law, including by considering appropriate prosecution, rehabilitation, and reintegration measures, and *noting* that children may be especially vulnerable to radicalization to violence and in need of particular social support, such as post-trauma counselling, while *stressing* that children need to be treated in a manner that observes their rights and respects their dignity, in accordance with applicable international law,

Noting with concern that terrorists craft distorted narratives, which are utilized to polarize communities, recruit supporters and foreign terrorist fighters, mobilize resources and garner support from sympathizers, in particular by exploiting information and communications technologies, including through the Internet and social media,

Encouraging Member States to collaborate in the pursuit of effective counter-narrative strategies and initiatives, including those relating to foreign terrorist fighters and individuals radicalized to violence, in a manner compliant with their obligations under international law, including international human rights law, international refugee law and international humanitarian law,

Calling upon Member States to improve timely information sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on foreign terrorist fighters, especially among law enforcement, intelligence, counterterrorism, and special services agencies, to aid in determining the risk foreign terrorist fighters pose, and preventing them from planning, directing, conducting, or recruiting for or inspiring others to commit terrorist attacks,

Recognizing that Member States face challenges in obtaining admissible evidence, including digital and physical evidence, from conflict zones that can be used to help prosecute and secure the conviction of foreign terrorist fighters and those supporting foreign terrorist fighters,

Welcoming the establishment of the UN Office on Counterterrorism (UNOCT), and encouraging continued cooperation on counterterrorism efforts between UNOCT, the Counter Terrorism Committee Executive Directorate (CTED), International Civil Aviation Organization (ICAO), and United Nations Office of Drugs and Crime (UNODC), and all other relevant UN bodies, and INTERPOL, on technical assistance and capacity building, in coordination with other relevant international, regional and subregional organizations, to assist Member States in implementing the Global Counter Terrorism Strategy,

Welcoming recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including the UN Counter-terrorism Committee's 2015 Madrid Guiding Principles, and noting the ongoing work of the Global Counterterrorism Forum (GCTF), in particular its 2016 adoption of the Hague-Marrakech Memorandum Addendum on Good Practices for a More Effective Response to the FTF Phenomenon with a focus on Returning FTFs and its comprehensive set of good practices to address the foreign terrorist fighter phenomenon, and its publication of several other framework documents and good practices, including in the areas of countering violent extremism conducive to terrorism, including online, criminal justice, prosecution, rehabilitation and reintegration, soft target protection, kidnapping for ransom, providing support to victims of terrorism, and community-oriented policing to assist interested States with the practical implementation of the United Nations counterterrorism legal and policy framework and to complement the work of the relevant United Nations counter-terrorism entities in these areas,

Expressing concern that Foreign Terrorist Fighters may use civil aviation both as a means of transportation and as a target, and may use cargo both to target civil aviation and as a means of shipment of materiel, and *noting* in this regard that International Civil Aviation Organization (ICAO) Annex 9 and Annex 17 to the Convention on International Civil Aviation, done at Chicago on December 7, 1944 (the “Chicago Convention”), contain standards and recommended practices relevant to the detection and prevention of terrorist threats involving civil aviation, including cargo screening,

Welcoming, in this regard, ICAO’s decision to establish a standard under Annex 9—Facilitation, regarding the use of Advance Passenger Information (API) systems by its Member States with effect from October 23, 2017, and *recognizing* that many ICAO Member States have yet to implement this standard,

Noting with concern that terrorists and terrorist groups continue to use the Internet for terrorist purposes, and *stressing* the need for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology and communications for terrorist acts, as well as to continue voluntary cooperation with private sector and civil society to develop and implement more effective means to counter the use of the Internet for terrorist purposes, including by developing counter-terrorist narratives and through innovative technological solutions, all while respecting human rights and fundamental freedoms and in compliance with domestic and international law, and *taking note* of the industry led Global Internet Forum to Counter Terrorism (GIFCT) and calling for the GIFCT to continue to increase engagement with governments and technology companies globally,

Recognizing the development of the UN CTED-ICT4 Peace Tech Against Terrorism initiative and its efforts to foster collaboration with representatives from the technology industry, including smaller technology companies, civil society, academia, and government to disrupt terrorists’ ability to use the Internet in furtherance of terrorist purposes, while also respecting human rights and fundamental freedoms,

Noting with appreciation the efforts of INTERPOL, to address the threat posed by foreign terrorist fighters, including through global law enforcement information sharing enabled by the use of its secure communications network, databases, and system of advisory notices and procedures to track stolen, forged identity papers and travel documents, and INTERPOL’s counter-terrorism fora and foreign terrorist fighter programme,

Recognizing that relevant information, including information included in INTERPOL databases from Member States, should be shared among national agencies, such that law enforcement, judicial and border security officers can proactively and systematically use that

information as a resource, where appropriate and necessary, for investigations, prosecutions and screening at points of entry,

Recognizing that a comprehensive approach to the threat posed by foreign terrorist fighters requires addressing the conditions conducive to the spread of terrorism, including by preventing radicalization to terrorism, stemming recruitment, disrupting financial support to terrorists, countering incitement to commit terrorist acts, and promoting political and religious tolerance, good governance, economic development, social cohesion and inclusiveness, ending and resolving armed conflicts, and facilitating investigation, prosecution, reintegration and rehabilitation,

Reaffirming its request in paragraph 2 of resolution 2379 (2017), to establish an investigative team, to be headed by a Special Adviser, to support domestic efforts to hold ISIL (Da'esh) accountable by collecting, preserving, and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide committed by the terrorist group ISIL (Daesh) in Iraq, and recalling its invitation in paragraph 29 of resolution 2388 to the Secretary-General to ensure that the work of the Investigative Team is informed by relevant anti-trafficking research and expertise and that its efforts to collect evidence on trafficking in persons offences are gender-sensitive, victim centred, trauma-informed, rights-based and not prejudicial to the safety and security of victims,

Acknowledging that prisons can serve as potential incubators for radicalization to terrorism and terrorist recruitment, and that proper assessment and monitoring of imprisoned foreign terrorist fighters is critical to mitigate opportunities for terrorists to attract new recruits, *recognizing* that prisons can also serve to rehabilitate and reintegrate prisoners, where appropriate, and *also recognizing* that Member States may need to continue to engage with offenders after release from prison to avoid recidivism, in accordance with relevant international law and *taking into consideration*, where appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners, or “Nelson Mandela Rules”,

Noting that some member states may face technical assistance and capacity building challenges when implementing this resolution, and *encouraging* the provision of assistance from donor states to help address such gaps,

Encouraging relevant UN entities, including UNODC and UNOCT, to further enhance, in close consultation with the Counter-Terrorism Committee and CTED, the provision and delivery of technical assistance to States, upon request, to better support Member State efforts to implement this resolution,

Acting under Chapter VII of the Charter of the United Nations,

1. *Recalls* its decision in resolution 2178 that all Member States shall establish serious criminal offenses regarding the travel, recruitment, and financing of foreign terrorist fighters, *urges* Member States to

fully implement their obligations in this regard, including to ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of the offense, and *reiterates* its call on Member States to cooperate and support each other's efforts to counter violent extremism conducive to terrorism;

Border Security and Information Sharing

2. *Calls upon* Member States to prevent the movement of terrorists by effective national border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

3. *Calls upon* Member States to notify, in a timely manner, upon travel, arrival, or deportation of captured or detained individuals whom they have reasonable grounds to believe are terrorists, including suspected foreign terrorist fighters, including, as appropriate, the source country, destination country, any transit countries, all countries where the travelers hold citizenship, and including any additional relevant information about the individuals, and further calls upon Member States to cooperate and respond expeditiously and appropriately, and consistent with applicable international law, and to share such information with INTERPOL, as appropriate;

4. *Further calls upon* Member States to assess and investigate individuals whom they have reasonable grounds to believe are terrorists, including suspected foreign terrorist fighters, and distinguish them from other individuals, including their accompanying family members who may not have been engaged in foreign terrorist fighter-related offenses, including by employing evidence-based risk assessments, screening procedures, and the collection and analysis of travel data, in accordance with domestic and international law, including international human rights and humanitarian law, as applicable, without resorting to profiling based on any discriminatory ground prohibited by international law;

5. *Calls upon* Member States, in accordance with domestic and international law, to intensify and accelerate the timely exchange of relevant operational information and financial intelligence regarding actions or movements, and patterns of movements, of terrorists or terrorist networks, including foreign terrorist fighters, including those who have travelled to the conflict zones or are suspected to have travelled to the conflict zones, and their families travelling back to their countries of origin or nationality, or to third countries, from conflict zones, especially the exchange of information with their countries of origin, residence or

nationality, transit, as well as their destination country, through national, bilateral and multilateral mechanisms, such as INTERPOL;

6. *Urges* Member States to expeditiously exchange information, through bilateral or multilateral mechanisms and in accordance with domestic and international law, concerning the identity of foreign terrorist fighters, including, as appropriate, foreign terrorist fighters of more than one nationality with Member States whose nationality the foreign terrorist fighter holds, as well as to ensure consular access by those Member States to their own detained nationals, in accordance with applicable international and domestic law;

7. *Calls upon* Member States to take appropriate action, consistent with domestic law and applicable international law, including human rights law, to ensure that their domestic law enforcement, intelligence, counterterrorism, and military entities routinely have access to relevant information, as appropriate, about suspected terrorists, including foreign terrorist fighters;

8. *Urges* that Member States consider, where appropriate, downgrading for official use intelligence threat and related travel data related to foreign terrorist fighters and individual terrorists, to appropriately provide such information domestically to front-line screeners, such as immigration, customs and border security agencies, and to appropriately share such information with other concerned States and relevant international organizations in compliance with international and domestic national law and policy; and to share good practices in this regard;

9. *Welcomes* the approval by ICAO of the new Global Aviation Security Plan (GASeP) that provides the foundation for ICAO, Member States, the civil aviation industry, and other stakeholders to work together with the shared and common goal of enhancing aviation security worldwide and to achieve five key priority outcomes, namely to enhance risk awareness and response, to develop security culture and human capability, to improve technological resources and innovation, to improve oversight and quality assurance, and to increase cooperation and support, and calls for action at the global, regional, and national levels, as well as by industry and other stakeholders, in raising the level of effective implementation of global aviation security, *urges* ICAO, Member States, the civil aviation industry, and other relevant stakeholders to implement the GASeP and to fulfil the specific measures and tasks assigned to them in Appendix A to the GASeP, the Global Aviation Security Plan Roadmap, and *encourages* Member States to consider contributions to support ICAO's work on aviation security;

10. *Further welcomes* the recognition in the GASeP of the importance of enhancing risk awareness and response, *underlines* the importance of a wider understanding of the threats and risks facing civil aviation, and *calls upon* all Member States to work within ICAO to ensure

that its international security standards and recommended practices as set out in Annex 17 of the Chicago Convention and related to ICAO guidance material, are updated and reviewed, as appropriate, to effectively address the threat posed by terrorists targeting civil aviation;

11. *Decides* that, in furtherance of paragraph 9 of resolution 2178 and the standard established by ICAO that its Member States establish advance passenger information (API) systems as of October 23, 2017, that Member States shall require airlines operating in their territories to provide API to the appropriate national authorities, in accordance with domestic law and international obligations, in order to detect the departure from their territories, or attempted travel to, entry into or transit through their territories, by means of civil aircraft, of foreign terrorist fighters and individuals designated by the Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015), and *further calls upon* Member States to report any such departure from their territories, or such attempted entry into or transit through their territories, by sharing this information with the State of residence or nationality, or the countries of return, transit or relocation, and relevant international organizations as appropriate and in accordance with domestic law and international obligations, and to ensure API is analysed by all relevant authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting, and investigating terrorist offenses and travel;

12. *Decides* that Member States shall develop the capability to collect, process and analyse, in furtherance of ICAO standards and recommended practices, passenger name record (PNR) data and to ensure PNR data is used by and shared with all their competent national authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting and investigating terrorist offenses and related travel, *further calls upon* Member States, the UN, and other international, regional, and subregional entities to provide technical assistance, resources and capacity building to Member States in order to implement such capabilities, and, where appropriate, *encourages* Member States to share PNR data with relevant or concerned Member States to detect foreign terrorist fighters returning to their countries of origin or nationality, or traveling or relocating to a third country, with particular regard for all individuals designated by the Committee established pursuant to resolutions 1267 (1999), 1989 (2011), and 2253 (2015), and also *urges* ICAO to work with its Member States to establish a standard for the collection, use, processing and protection of PNR data;

13. *Decides* that Member States shall develop watch lists or databases of known and suspected terrorists, including foreign terrorist fighters, for use by law enforcement, border security, customs, military, and intelligence agencies to screen travellers and conduct risk assessments

and investigations, in compliance with domestic and international law, including human rights law, and *encourages* Member States to share this information through bilateral and multilateral mechanisms, in compliance with domestic and international human rights law, and further *encourages* the facilitation of capacity building and technical assistance by Member States and other relevant Organizations to Member States as they seek to implement this obligation;

14. *Encourages* improved cooperation between ICAO and CTED, in coordination with other relevant UN entities, in identifying areas where Member States may need technical assistance and capacity-building to implement the obligations of this resolution related to PNR and API and watch lists, as well as implementation of the GaSEP;

15. *Decides that* Member States shall develop and implement systems to collect biometric data, which could include fingerprints, photographs, facial recognition, and other relevant identifying biometric data, in order to responsibly and properly identify terrorists, including foreign terrorist fighters, in compliance with domestic law and international human rights law, *calls upon* other Member States, international, regional, and subregional entities to provide technical assistance, resources, and capacity building to Member States in order to implement such systems and *encourages* Member States to share this data responsibly among relevant Member States, as appropriate, and with INTERPOL and other relevant international bodies;

16. *Calls upon* Member States to contribute to and make use of INTERPOL's databases and ensure that Member States' law enforcement, border security and customs agencies are connected to these databases through their National Central Bureaus, and make regular use of INTERPOL databases for use in screening travelers at air, land and sea ports of entry and to strengthen investigations and risk assessments of returning and relocating foreign terrorist fighters and their families, and *further calls upon* Member States to continue sharing information regarding all lost and stolen travel documents with INTERPOL, as appropriate and consistent with domestic law and applicable international law to enhance the operational effectiveness of INTERPOL databases and notices;

Judicial Measures and International Cooperation

17. *Recalls* its decision, in resolution 1373 (2001), that all Member States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice, and further *recalls* its decision that all States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute

and to penalize the activities described in paragraph 6 of resolution 2178 in a manner duly reflecting the seriousness of the offense;

18. *Urges* Member States, in accordance with domestic and applicable international human rights law and international humanitarian law, to develop and implement appropriate investigative and prosecutorial strategies, regarding those suspected of the foreign terrorist fighter-related offenses described in paragraph 6 of resolution 2178 (2014);

19. *Reaffirms* that those responsible for committing or otherwise responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights in this context, must be held accountable;

20. *Calls upon* Member States, including through relevant Central Authorities, as well as UNODC and other relevant UN entities that support capacity building, to share best practices and technical expertise, informally and formally, with a view to improving the collection, handling, preservation and sharing of relevant information and evidence, in accordance with domestic law and the obligations Member States have undertaken under international law, including information obtained from the internet, or in conflict zones, in order to ensure foreign terrorist fighters who have committed crimes, including those returning and relocating to and from the conflict zone, may be prosecuted;

21. *Encourages* enhancing Member State cooperation with the private sector, in accordance with applicable law, especially with information communication technology companies, in gathering digital data and evidence in cases related to terrorism and foreign terrorist fighters;

22. *Calls upon* Member States to improve international, regional, and sub regional cooperation, if appropriate through multilateral and bilateral agreements, to prevent the undetected travel of foreign terrorist fighters from or through their territories, especially returning and relocating foreign terrorist fighters, including through increased sharing of information for the purpose of identifying foreign terrorist fighters, the sharing and adoption of best practices, and improved understanding of the patterns of travel by foreign terrorist fighters and their families, and for Member States to act cooperatively when taking national measures to prevent terrorists from exploiting technology, communications and resources to support terrorist acts, while respecting human rights and fundamental freedoms and consistent with their obligations under domestic and applicable international law;

23. *Recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and further underscores that this includes physical and digital evidence, *underlines* the importance

of fulfilling this obligation with respect to such investigations or proceedings involving foreign terrorist fighters, while respecting human rights and fundamental freedoms and consistent with obligations under domestic and applicable international law; and *urges* Member States to act in accordance with their obligations under international law in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups;

24. *Underscores* the need for Member States to strengthen international judicial cooperation, as outlined in Resolution 2322 and in light of the evolving threat of foreign terrorist fighters, including, as appropriate, to use applicable international instruments to which they are parties as a basis for mutual legal assistance and, as appropriate, for extradition in terrorism cases, *reiterates* its call on Member States to consider strengthening the implementation of, and where appropriate, to review possibilities for enhancing the effectiveness of, their respective bilateral and multilateral treaties concerning extradition and Mutual Legal Assistance in criminal matters related to counterterrorism, and *encourages* Member States, in the absence of applicable conventions or provisions, to cooperate when possible on the basis of reciprocity or on a case by case basis, and *reiterates* its call upon Member States to consider the possibility of allowing, through appropriate laws and mechanisms, the transfer of criminal proceedings, as appropriate, in terrorism-related cases and *recognizing* the role of UNODC is providing technical assistance and expertise in this regard;

25. *Calls upon* Member States to help build the capacity of other Member States to address the threat posed by foreign terrorist fighter returnees and relocators and their accompanying family members, prioritizing those Member States most affected by the threat, including to prevent and monitor foreign terrorist fighter travel across land and maritime borders, and to help collect and preserve evidence admissible in judicial proceedings;

26. *Calls upon* Member States to improve domestic information sharing within their respective criminal justice systems in order to more effectively monitor returning and relocating foreign terrorist fighters and other individuals radicalized to violence or directed by ISIL or other terrorist groups to commit terrorist acts, in accordance with international law;

27. *Calls upon* Member States to establish or strengthen national, regional and international partnerships with stakeholders, both public and private, as appropriate, to share information and experience in order to prevent, protect, mitigate, investigate, respond to and recover from damage from terrorist attacks against “soft” targets;

28. Urges States able to do so to assist in the delivery of effective and targeted capacity development, training and other necessary resources, and technical assistance, where it is needed to enable all States to develop appropriate capacity to implement contingency and response plans with regard to attacks on “soft” targets;

Prosecution, Rehabilitation and Reintegration Strategies

29. Calls upon Member States to assess and investigate suspected individuals whom they have reasonable grounds to believe are terrorists, including suspected foreign terrorist fighters and their accompanying family members, including spouses and children, entering those Member States’ territories, to develop and implement comprehensive risk assessments for those individuals, and to take appropriate action, including by considering appropriate prosecution, rehabilitation, and reintegration measures and *emphasizes* that Member States should ensure that they take all such action in compliance with domestic and international law;

30. Calls upon Member States, *emphasizing* that they are obliged, in accordance with resolution 1373, to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, to develop and implement comprehensive and tailored prosecution, rehabilitation, and reintegration strategies and protocols, in accordance with their obligations under international law, including with respect to foreign terrorist fighters and spouses and children accompanying returning and relocating foreign terrorist fighters, as well as their suitability for rehabilitation, and to do so in consultation, as appropriate, with local communities, mental health and education practitioners and other relevant civil society organizations and actors, and *requests* UNODC and other relevant UN agencies, consistent with their existing mandates and resources, and other relevant actors to continue providing technical assistance to Member States, upon request, in this regard;

31. *Emphasizes* that women and children associated with foreign terrorist fighters returning or relocating to and from conflict may have served in many different roles, including as supporters, facilitators, or perpetrators of terrorist acts, and require special focus when developing tailored prosecution, rehabilitation and reintegration strategies, and *stresses* the importance of assisting women and children associated with foreign terrorist fighters who may be victims of terrorism, and to do so taking into account gender and age sensitivities;

32. *Underscores* the importance of a whole of government approach and *recognizes* the role civil society organizations can play, including in the health, social welfare and education sectors in contributing to the rehabilitation and reintegration of returning and relocating foreign terrorist fighters and their families, as civil society

organizations may have relevant knowledge of, access to and engagement with local communities to be able to confront the challenges of recruitment and radicalization to violence, and *encourages* Member States to engage with them proactively when developing rehabilitation and reintegration strategies;

33. *Stresses* the need to effectively counter the ways that ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities use their narratives to incite and recruit others to commit terrorist acts, and further recalls in this regard resolution 2354 (2017) and the “Comprehensive International Framework to Counter Terrorist Narratives” (S/2017/375) with recommended guidelines and good practices;

34. *Encourages* Member States to collaborate in the pursuit of developing and implementing effective counter-narrative strategies in accordance with resolution 2354 (2017), including those relating to foreign terrorist fighters, in a manner compliant with their obligations under international law, including international human rights law, international refugee law and international humanitarian law, as applicable;

35. *Reiterates* that States should consider engaging, where appropriate, with religious authorities, community leaders and other civil society actors, who have relevant expertise in crafting and delivering effective counter-narratives, in countering narratives used by terrorists, including foreign terrorist fighters, and their supporters;

36. *Recognizes* the particular importance of providing, through a whole of government approach, timely and appropriate reintegration and rehabilitation assistance to children associated with foreign terrorist fighters returning or relocating from conflict zones, including through access to health care, psychosocial support and education programs that contribute to the well-being of children and to sustainable peace and security;

37. *Encourages* Member States to develop appropriate legal safeguards to ensure that prosecution, rehabilitation and reintegration strategies developed are in full compliance with their international law obligations, including in cases involving children;

38. *Calls upon* Member States to develop and implement risk assessment tools to identify individuals who demonstrate signs of radicalization to violence and develop intervention programs, including with a gender perspective, as appropriate, before such individuals commit acts of terrorism, in compliance with applicable international and domestic law and without resorting to profiling based on any discriminatory grounds prohibited by international law;

39. *Encourages* Member States, as well as international, regional, and sub-regional entities to ensure participation and leadership of women in the design, implementation, monitoring, and evaluation of

these strategies for addressing returning and relocating foreign terrorist fighters and their families;

40. *Encourages* Member States to take all appropriate actions to maintain a safe and humane environment in prisons, develop tools that can help address radicalization to violence and terrorist recruitment, and to develop risk assessments to assess the risks of prison inmates' susceptibility to terrorist recruitment and radicalization to violence, and develop tailored and gender-sensitive strategies to address and counter terrorist narratives within the prison system, consistent with international humanitarian law and human rights law, as applicable and in accordance with relevant international law and *taking into consideration, as appropriate*, the United Nations Standard Minimum Rules for the Treatment of Prisoners, or "Nelson Mandela Rules";

41. *Encourages* Member States to take all appropriate actions to prevent inmates who have been convicted of terrorism-related offenses from radicalizing other prisoners to violence, with whom they may come into contact, in compliance with domestic and international law;

United Nations Efforts on Returning and Relocating Foreign Terrorist Fighters

42. *Reaffirms* that foreign terrorist fighters and those who finance or otherwise facilitate their travel and subsequent activities may be eligible for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List maintained by the Committee pursuant to resolutions 1267 (1999), 1989 (2011), and 2253 (2015) where they participate in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of, supplying, selling or transferring arms and related materiel to, or recruiting for, or otherwise supporting acts or activities of Al-Qaida, ISIL, or any cell, affiliate, splinter group or derivative thereof, and *calls upon* States to propose such foreign terrorist fighters and those who facilitate or finance their travel and subsequent activities for possible designation;

43. *Directs* the Committee established pursuant to resolution 1267 (1999), 1989 (2011) and 2253 (2015) and the Analytical Support and Sanctions Monitoring Team, in close cooperation with all relevant United Nations counter-terrorism bodies, to continue to devote special focus to the threat posed by foreign terrorist fighters, specifically those associated with ISIL, ANF and all groups, undertakings and entities associated with Al-Qaida;

44. *Requests* the Counter-Terrorism Committee, within its existing mandate and with the support of Counter-Terrorism Executive Directorate (CTED), to review the 2015 Madrid Guiding Principles in light of the evolving threat of foreign terrorist fighters, particularly

returnees, relocators and their families, and other principle gaps that may hinder States' abilities to appropriately detect, interdict, and where possible, prosecute, rehabilitate and reintegrate foreign terrorist fighter returnees and relocators and their families, as well as to continue to identify new good practices and to facilitate technical assistance, upon their request, specifically by promoting engagement between providers of capacity-building assistance and recipients, especially those in the most affected regions, including through the development of comprehensive counter-terrorism strategies that encompass countering radicalization to violence and the return and relocation of foreign terrorist fighters and their families, recalling the roles of other relevant actors, for example the Global Counterterrorism Forum;

45. *Further requests* CTED, in coordination with UNODC and other relevant UN bodies, INTERPOL, and the private sector, and in collaboration with Member States, to continue to collect and develop best practices on the systematic categorization, collection and sharing among Member States of biometric data, with a view to improving biometric standards and improving the collection and use of biometric data to effectively identify terrorists, including foreign terrorist fighters, including through the facilitation of capacity building, as appropriate;

46. *Requests* the Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Counter-Terrorism Committee to update the Security Council on their respective efforts pursuant to this resolution, as appropriate;

47. *Encourages* relevant UN entities, including UNODC and UNOCT, to further enhance, in close consultation with the Counter-Terrorism Committee and CTED, the provision and delivery of technical assistance to States, upon request, to better support Member State efforts to implement this resolution;

48. *Notes* that the implementation of aspects of this resolution, especially PNR and biometric data collection, can be resource-intensive and take an extended period of time to develop and make operational, *directs* CTED to take this into consideration when assessing Member States' implementation of relevant resolutions, and in its furtherance of facilitating technical assistance as requested in paragraph 47;

49. *Urges* the Office of Counterterrorism to incorporate CTED assessments and identification of emerging issues, trends and developments as related to foreign terrorist fighters into the design and implementation of their work, in accordance with their respective mandates, as well as to enhance cooperation with relevant UN counter-terrorism entities such as CTED, UNODC, the Analytical Support and Sanctions Monitoring Team, and INTERPOL;

50. *Requests* the Office of Counterterrorism, in close cooperation with CTED, including through use of CTED country assessments, to

review the UN Capacity Building Implementation Plan to counter the Flow of FTFs, as called for under S/PRST/2015/11, to ensure that the Plan supports Member States in their efforts to implement the priorities of this resolution, the establishment of effective API systems, the development of PNR capability, the development of effective biometric data systems, the improvement of judicial procedures, and the development of comprehensive and tailored prosecution, rehabilitation, and reintegration strategies, *further requests* OCT to communicate the prioritization of these projects and any updates to the plan to all Member States and relevant international, regional, and sub-regional bodies by June 2018, and to continue incorporating CTED country assessments in its Plan on a routine basis, *further requests* OCT to develop ways to measure the effectiveness of these projects, and *calls upon* Member States, as appropriate, to provide the resources needed to implement these projects;

51. *Decides* to remain seized of the matter.

**THREATS TO INTERNATIONAL PEACE
AND SECURITY CAUSED BY TERRORIST
ACTS: SANCTIONS REGIMES AND
RELATED MATTERS**

73. Resolution 1267 (1999)

THE SITUATION IN AFGHANISTAN
(ESTABLISHMENT OF THE “1267 COMMITTEE”)

*Adopted by the Security Council at its 4051st meeting,
on 15 October 1999*

The Security Council,

Reaffirming its previous resolutions, in particular resolutions 1189 (1998) of 13 August 1998, 1193 (1998) of 28 August 1998 and 1214 (1998) of 8 December 1998, and the statements of its President on the situation in Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for Afghanistan’s cultural and historical heritage,

Reiterating its deep concern over the continuing violations of international humanitarian law and of human rights, particularly discrimination against women and girls, and over the significant rise in the illicit production of opium, and stressing that the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of Iranian diplomats and a journalist in Mazar-e-Sharif constituted flagrant violations of established international law,

Recalling the relevant international counter-terrorism conventions and in particular the obligations of parties to those conventions to extradite or prosecute terrorists,

Strongly condemning the continuing use of Afghan territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and planning of terrorist acts, and reaffirming its conviction that the suppression of international terrorism is essential for the maintenance of international peace and security,

Deploing the fact that the Taliban continues to provide safe haven to Usama bin Laden and to allow him and others associated with him to operate a network of terrorist training camps from Taliban-controlled

territory and to use Afghanistan as a base from which to sponsor international terrorist operations,

Noting the indictment of Usama bin Laden and his associates by the United States of America for, *inter alia*, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania and for conspiring to kill American nationals outside the United States, and noting also the request of the United States of America to the Taliban to surrender them for trial (S/1999/1021),

Determining that the failure of the Taliban authorities to respond to the demands in paragraph 13 of resolution 1214 (1998) constitutes a threat to international peace and security, Stressing its determination to ensure respect for its resolutions,

Acting under Chapter VII of the Charter of the United Nations,

1. *Insists* that the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan, comply promptly with its previous resolutions and in particular cease the provision of sanctuary and training for international terrorists and their organizations, take appropriate effective measures to ensure that the territory under its control is not used for terrorist installations and camps, or for the preparation or organization of terrorist acts against other States or their citizens, and cooperate with efforts to bring indicted terrorists to justice;

2. *Demands* that the Taliban turn over Usama bin Laden without further delay to appropriate authorities in a country where he has been indicted, or to appropriate authorities in a country where he will be returned to such a country, or to appropriate authorities in a country where he will be arrested and effectively brought to justice;

3. *Decides* that on 14 November 1999 all States shall impose the measures set out in paragraph 4 below, unless the Council has previously decided, on the basis of a report of the Secretary-General, that the Taliban has fully complied with the obligation set out in paragraph 2 above;

4. *Decides* further that, in order to enforce paragraph 2 above, all States shall:

(a) Deny permission for any aircraft to take off from or land in their territory if it is owned, leased or operated by or on behalf of the Taliban as designated by the Committee established by paragraph 6 below, unless the particular flight has been approved in advance by the Committee on the grounds of humanitarian need, including religious obligation such as the performance of the Hajj;

(b) Freeze funds and other financial resources, including funds derived or generated from property owned or controlled directly or indirectly by the Taliban, or by any undertaking owned or controlled by the Taliban, as designated by the Committee established by paragraph 6 below, and ensure that neither they nor any other

funds or financial resources so designated are made available, by their nationals or by any persons within their territory, to or for the benefit of the Taliban or any undertaking owned or controlled, directly or indirectly, by the Taliban, except as may be authorized by the Committee on a case-by-case basis on the grounds of humanitarian need;

5. *Urges* all States to cooperate with efforts to fulfil the demand in paragraph 2 above, and to consider further measures against Usama bin Laden and his associates;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To seek from all States further information regarding the action taken by them with a view to effectively implementing the measures imposed by paragraph 4 above;

(b) To consider information brought to its attention by States concerning violations of the measures imposed by paragraph 4 above and to recommend appropriate measures in response thereto;

(c) To make periodic reports to the Council on the impact, including the humanitarian implications, of the measures imposed by paragraph 4 above;

(d) To make periodic reports to the Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 4 above, identifying where possible persons or entities reported to be engaged in such violations;

(e) To designate the aircraft and funds or other financial resources referred to in paragraph 4 above in order to facilitate the implementation of the measures imposed by that paragraph;

(f) To consider requests for exemptions from the measures imposed by paragraph 4 above as provided in that paragraph, and to decide on the granting of an exemption to these measures in respect of the payment by the International Air Transport Association (IATA) to the aeronautical authority of Afghanistan on behalf of international airlines for air traffic control services;

(g) To examine the reports submitted pursuant to paragraph 9 below;

7. *Calls upon* all States to act strictly in accordance with the provisions of this resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of coming into force of the measures imposed by paragraph 4 above;

8. *Calls upon* States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed by paragraph 4 above and to impose appropriate penalties;

9. *Calls upon* all States to cooperate fully with the Committee established by paragraph 6 above in the fulfilment of its tasks, including supplying such information as may be required by the Committee in pursuance of this resolution;

10. *Requests* all States to report to the Committee established by paragraph 6 above within 30 days of the coming into force of the measures imposed by paragraph 4 above on the steps they have taken with a view to effectively implementing paragraph 4 above;

11. *Requests* the Secretary-General to provide all necessary assistance to the Committee established by paragraph 6 above and to make the necessary arrangements in the Secretariat for this purpose;

12. *Requests* the Committee established by paragraph 6 above to determine appropriate arrangements, on the basis of recommendations of the Secretariat, with competent international organizations, neighbouring and other States, and parties concerned with a view to improving the monitoring of the implementation of the measures imposed by paragraph 4 above;

13. *Requests* the Secretariat to submit for consideration by the Committee established by paragraph 6 above information received from Governments and public sources on possible violations of the measures imposed by paragraph 4 above;

14. *Decides* to terminate the measures imposed by paragraph 4 above once the Secretary-General reports to the Security Council that the Taliban has fulfilled the obligation set out in paragraph 2 above;

15. *Expresses* its readiness to consider the imposition of further measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving the full implementation of this resolution;

16. *Decides* to remain actively seized of the matter.

74. Resolution 1333 (2000)

THE SITUATION IN AFGHANISTAN (MODIFICATION AND STRENGTHENING OF THE SANCTIONS REGIME UNDER RESOLUTION 1267 (1999))

*Adopted by the Security Council at its 4251st meeting,
on 19 December 2000*

The Security Council,

Reaffirming its previous resolutions, in particular resolution 1267 (1999) of 15 October 1999 and the statements of its President on the situation in Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for Afghanistan's cultural and historical heritage,

Recognizing the critical humanitarian needs of the Afghan people,

Supporting the efforts of the Personal Representative of the Secretary-General for Afghanistan to advance a peace process through political negotiations between the Afghan parties aimed at the establishment of a broad-based, multi-ethnic, and fully representative government, and calling for the warring factions to cooperate fully with those efforts to conclude a ceasefire and begin discussions leading to a political settlement, by moving forward promptly in the process of dialogue to which they have committed themselves,

Noting the December 2000 meeting of the Afghan Support Group which emphasized that the situation in Afghanistan is a complex one that requires a comprehensive, integrated approach to a peace process and issues of narcotics trafficking, terrorism, human rights, and international humanitarian and development aid,

Recalling the relevant international counter-terrorism conventions and in particular the obligations of parties to those conventions to extradite or prosecute terrorists,

Strongly condemning the continuing use of the areas of Afghanistan under the control of the Afghan faction known as Taliban, which also calls itself the Islamic Emirate of Afghanistan (hereinafter known as the Taliban), for the sheltering and training of terrorists and planning of terrorist acts, and reaffirming its conviction that the suppression of international terrorism is essential for the maintenance of international peace and security,

Noting the importance of the Taliban acting in accordance with the 1961 Single Convention, the 1971 Convention on Psychotropic Substances,

and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and the commitments of the 1998 Twentieth Special Session of the General Assembly on Narcotic Drugs, including to work closely with the United Nations Drug Control Programme,

Noting that the Taliban benefits directly from the cultivation of illicit opium by imposing a tax on its production and indirectly benefits from the processing and trafficking of such opium, and recognizing that these substantial resources strengthen the Taliban's capacity to harbour terrorists,

Deploing the fact that the Taliban continues to provide safe haven to Usama bin Laden and to allow him and others associated with him to operate a network of terrorist training camps from Taliban-controlled territory and to use Afghanistan as a base from which to sponsor international terrorist operations,

Noting the indictment of Usama bin Laden and his associates by the United States of America for, *inter alia*, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania and for conspiring to kill American nationals outside the United States, and noting also the request of the United States of America to the Taliban to surrender them for trial (S/1999/1021),

Reiterating its deep concern over the continuing violations of international humanitarian law and of human rights, particularly discrimination against women and girls, and over the significant rise in the illicit production of opium,

Stressing that the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of Iranian diplomats and a journalist in Mazar-e-Sharif constituted flagrant violations of established international law,

Determining that the failure of the Taliban authorities to respond to the demands in paragraph 13 of resolution 1214 (1998) and in paragraph 2 of resolution 1267 (1999) constitutes a threat to international peace and security,

Stressing its determination to ensure respect for its resolutions,

Reaffirming the necessity for sanctions to contain adequate and effective exemptions to avoid adverse humanitarian consequences on the people of Afghanistan, and that they be structured in a way that will not impede, thwart or delay the work of international humanitarian assistance organizations or governmental relief agencies providing humanitarian assistance to the civilian population in the country,

Underlining the responsibility of the Taliban for the well-being of the population in the areas of Afghanistan under its control, and in this context calling on the Taliban to ensure the safe and unhindered access of relief personnel and aid to all those in need in the territory under their control,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly in its resolution 49/59 of 9 December 1994,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Taliban comply with resolution 1267 (1999) and, in particular, cease the provision of sanctuary and training for international terrorists and their organizations, take appropriate effective measures to ensure that the territory under its control is not used for terrorist installations and camps, or for the preparation or organization of terrorist acts against other States or their citizens, and cooperate with international efforts to bring indicted terrorists to justice;

2. *Demands* also that the Taliban comply without further delay with the demand of the Security Council in paragraph 2 of resolution 1267 (1999) that requires the Taliban to turn over Usama bin Laden to appropriate authorities in a country where he has been indicted, or to appropriate authorities in a country where he will be returned to such a country, or to appropriate authorities in a country where he will be arrested and effectively brought to justice;

3. *Demands further* that the Taliban should act swiftly to close all camps where terrorists are trained within the territory under its control, and calls for the confirmation of such closures by the United Nations, *inter alia*, through information made available to the United Nations by Member States in accordance with paragraph 19 below and through such other means as are necessary to assure compliance with this resolution;

4. *Reminds* all States of their obligation to implement strictly the measures imposed by paragraph 4 of resolution 1267 (1999);

5. *Decides* that all States shall:

(a) Prevent the direct or indirect supply, sale and transfer to the territory of Afghanistan under Taliban control as designated by the Committee established pursuant to resolution 1267 (1999), hereinafter known as the Committee, by their nationals or from their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned;

(b) Prevent the direct or indirect sale, supply and transfer to the territory of Afghanistan under Taliban control, as designated by the Committee, by their nationals or from their territories, of technical advice, assistance, or training related to the military activities of the armed personnel under the control of the Taliban;

(c) Withdraw any of their officials, agents, advisers, and military personnel employed by contract or other arrangement present in

Afghanistan to advise the Taliban on military or related security matters, and urge other nationals in this context to leave the country;

6. *Decides* that the measures imposed by paragraph 5 above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee, and affirms that the measures imposed by paragraph 5 above do not apply to protective clothing, including flak jackets and military helmets, exported to Afghanistan by United Nations personnel, representatives of the media, and humanitarian workers for their personal use only;

7. *Urges* all States that maintain diplomatic relations with the Taliban to reduce significantly the number and level of the staff at Taliban missions and posts and restrict or control the movement within their territory of all such staff who remain; in the case of Taliban missions to international organizations, the host State may, as it deems necessary, consult the organization concerned on the measures required to implement this paragraph;

8. *Decides* that all States shall take further measures:

(a) To close immediately and completely all Taliban offices in their territories;

(b) To close immediately all offices of Ariana Afghan Airlines in their territories;

(c) To freeze without delay funds and other financial assets of Usama bin Laden and individuals and entities associated with him as designated by the Committee, including those in the Al-Qaida organization, and including funds derived or generated from property owned or controlled directly or indirectly by Usama bin Laden and individuals and entities associated with him, and to ensure that neither they nor any other funds or financial resources are made available, by their nationals or by any persons within their territory, directly or indirectly for the benefit of Usama bin Laden, his associates or any entities owned or controlled, directly or indirectly, by Usama bin Laden or individuals and entities associated with him including the Al-Qaida organization and requests the Committee to maintain an updated list, based on information provided by States and regional organizations, of the individuals and entities designated as being associated with Usama bin Laden, including those in the Al-Qaida organization;

9. *Demands* that the Taliban, as well as others, halt all illegal drugs activities and work to virtually eliminate the illicit cultivation of opium poppy, the proceeds of which finance Taliban terrorist activities;

10. *Decides* that all States shall prevent the sale, supply or transfer, by their nationals or from their territories, of the chemical acetic

anhydride to any person in the territory of Afghanistan under Taliban control as designated by the Committee or to any person for the purpose of any activity carried on in, or operated from, the territory under Taliban control as designated by the Committee;

11. *Decides* also that all States are required to deny any aircraft permission to take off from, land in or over-fly their territories if that aircraft has taken off from, or is destined to land at, a place in the territory of Afghanistan designated by the Committee as being under Taliban control, unless the particular flight has been approved in advance by the Committee on the grounds of humanitarian need, including religious obligations such as the performance of the Hajj, or on the grounds that the flight promotes discussion of a peaceful resolution of the conflict in Afghanistan, or is likely to promote Taliban compliance with this resolution or with resolution 1267 (1999);

12. *Decides further* that the Committee shall maintain a list of approved organizations and governmental relief agencies which are providing humanitarian assistance to Afghanistan, including the United Nations and its agencies, governmental relief agencies providing humanitarian assistance, the International Committee of the Red Cross and non-governmental organizations as appropriate, that the prohibition imposed by paragraph 11 above shall not apply to humanitarian flights operated by, or on behalf of, organizations and governmental relief agencies on the list approved by the Committee, that the Committee shall keep the list under regular review, adding new organizations and governmental relief agencies as appropriate and that the Committee shall remove organizations and governmental agencies from the list if it decides that they are operating, or are likely to operate, flights for other than humanitarian purposes, and shall notify such organizations and governmental agencies immediately that any flights operated by them, or on their behalf, are thereby subject to the provisions of paragraph 11 above;

13. *Calls upon* the Taliban to ensure the safe and unhindered access of relief personnel and aid to all those in need in the territory under their control, and underlines that the Taliban must provide guarantees for the safety, security and freedom of movement for United Nations and associated humanitarian relief personnel;

14. *Urges* States to take steps to restrict the entry into or transit through their territory of all senior officials of the rank of Deputy Minister or higher in the Taliban, the equivalent rank of armed personnel under the control of the Taliban, and other senior advisers and dignitaries of the Taliban, unless those officials are travelling for humanitarian purposes, including religious obligation such as the performance of the Hajj, or where the travel promotes discussion of a peaceful resolution of the conflict in Afghanistan or involves compliance with this resolution or resolution 1267 (1999);

15. *Requests* the Secretary-General in consultation with the Committee:

(a) To appoint a committee of experts to make recommendations to the Council within sixty days of the adoption of this resolution regarding how the arms embargo and the closure of terrorist training camps demanded in paragraphs 3 and 5 above can be monitored, including *inter alia* the use of information obtained by Member States through their national means and provided by them to the Secretary-General;

(b) To consult with relevant Member States to put into effect the measures imposed by this resolution and resolution 1267 (1999) and report the results of such consultations to the Council;

(c) To report on the implementation of the existing measures, assess problems in enforcing these measures, make recommendations for strengthening enforcement, and evaluate actions of the Taliban to come into compliance;

(d) To review the humanitarian implications of the measures imposed by this resolution and resolution 1267 (1999), and to report back to the Council within 90 days of the adoption of this resolution with an assessment and recommendations, to report at regular intervals thereafter on any humanitarian implications and to present a comprehensive report on this issue and any recommendations no later than 30 days prior to the expiration of these measures;

16. *Requests* the Committee to fulfil its mandate by undertaking the following tasks in addition to those set out in resolution 1267 (1999):

(a) To establish and maintain updated lists based on information provided by States, regional, and international organizations of all points of entry and landing areas for aircraft within the territory of Afghanistan under control by the Taliban and to notify Member States of the contents of such lists;

(b) To establish and maintain updated lists, based on information provided by States and regional organizations, of individuals and entities designated as being associated with Usama bin Laden, in accordance with paragraph 8 (c) above;

(c) To give consideration to, and decide upon, requests for the exceptions set out in paragraphs 6 and 11 above;

(d) To establish no later than one month after the adoption of this resolution and maintain an updated list of approved organizations and governmental relief agencies which are providing humanitarian assistance to Afghanistan, in accordance with paragraph 12 above;

(e) To make relevant information regarding implementation of these measures publicly available through appropriate media, including through the improved use of information technology;

(f) To consider, where and when appropriate, a visit to countries in the region by the Chairman of the Committee and such other members as may be required to enhance the full and effective implementation of the measures imposed by this resolution and resolution 1267 (1999) with a view to urging States to comply with relevant Council resolutions;

(g) To make periodic reports to the Council on information submitted to it regarding this resolution and resolution 1267 (1999), including possible violations of the measures reported to the Committee and recommendations for strengthening the effectiveness of these measures;

17. *Calls upon* all States and all international and regional organizations, including the United Nations and its specialized agencies, to act strictly in accordance with the provisions of this resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of coming into force of the measures imposed by paragraphs 5, 8, 10 and 11 above;

18. *Calls upon* States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed by paragraphs 5, 8, 10 and 11 above and to impose appropriate penalties;

19. *Calls upon* all States to cooperate fully with the Committee in the fulfilment of its tasks, including supplying such information as may be required by the Committee in pursuance of this resolution;

20. *Requests* all States to report to the Committee within 30 days of the coming into force of the measures imposed by paragraphs 5, 8, 10 and 11 above on the steps they have taken with a view to effectively implementing this resolution;

21. *Requests* the Secretariat to submit for consideration by the Committee information received from Governments and public sources on possible violations of the measures imposed by paragraphs 5, 8, 10 and 11 above;

22. *Decides* that the measures imposed by paragraphs 5, 8, 10 and 11 above shall come into force at 00.01 Eastern Standard Time, one month after the adoption of this resolution;

23. *Further decides* that the measures imposed by paragraphs 5, 8, 10 and 11 above are established for twelve months and that, at the end of this period, the Council will decide whether the Taliban has complied with paragraphs 1, 2 and 3 above, and, accordingly, whether to extend these measures for a further period with the same conditions;

24. *Decides* if the Taliban comply with the conditions of paragraphs 1, 2 and 3 above, before the twelve-month period has elapsed,

the Security Council shall terminate the measures imposed by paragraphs 5, 8, 10 and 11 above;

25. *Expresses* its readiness to consider the imposition of further measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving full implementation of this resolution and resolution 1267 (1999), *inter alia*, taking into account the impact assessment referred to in paragraph 15 (d) with a view to enhancing the effectiveness of sanctions and avoiding humanitarian consequences;

26. *Decides* to remain actively seized of the matter.

75. Resolution 1363 (2001)

THE SITUATION IN AFGHANISTAN (ESTABLISHMENT OF A MECHANISM TO MONITOR THE IMPLEMENTATION OF THE MEASURES IMPOSED BY RESOLUTIONS 1267 (1999) AND 1333 (2000))

Adopted by the Security Council at its 4352nd meeting, on 30 July 2001

The Security Council,

Reaffirming its previous resolutions, in particular resolution 1267 (1999) of 15 October 1999 and resolution 1333 (2000) of 19 December 2000, as well as the statements of its President on the situation in Afghanistan,

Determining that the situation in Afghanistan constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation under the Charter of the United Nations of all Member States to comply fully with the measures imposed by resolutions 1267 (1999) and 1333 (2000);

2. *Welcomes* the report (S/2001/511) of the Committee of Experts established pursuant to resolution 1333 (2000), and notes the conclusions and recommendations contained therein, following consultations with the States bordering the territory of Afghanistan under Taliban control which it had visited;

3. *Requests* the Secretary-General to establish, in consultation with the Committee established pursuant to resolution 1267 (1999), within 30 days of the date of adoption of this resolution and for a period running concurrently with the application of the measures imposed by resolution 1333 (2000), a mechanism:

(a) to monitor the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000);

(b) to offer assistance to States bordering the territory of Afghanistan under Taliban control and other States, as appropriate, to increase their capacity regarding the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000); and

(c) to collate, assess, verify wherever possible, report and make recommendations on information regarding violations of the measures imposed by resolutions 1267 (1999) and 1333 (2000);

4. *Decides* that the composition of the monitoring mechanism, bearing in mind *inter alia* equitable geographical distribution, should be comprised of:

(a) a Monitoring Group in New York of up to five experts, including a Chairman, to monitor the implementation of all the measures imposed by resolutions 1267 (1999) and 1333 (2000), including in the fields of arms embargoes, counter-terrorism and related legislation and, in view of the link to the purchase of arms and financing of terrorism, money laundering, financial transactions and drug trafficking; and

(b) a Sanctions Enforcement Support Team, under the coordination of the Monitoring Group, of up to fifteen members with expertise in areas such as: customs, border security and counter-terrorism, to be located in those States referred to in paragraph 2 above, in full consultation and in close cooperation with those States;

5. *Requests* the Monitoring Group to report to the Committee established pursuant to resolution 1267 (1999) including through briefings of experts of the monitoring mechanism regarding the work of the monitoring mechanism as established in paragraph 3 above, and requests also the Sanctions Enforcement Support Team to report at least once a month to the Monitoring Group;

6. *Requests* also the Committee established pursuant to resolution 1267 (1999) to report to the Security Council on the implementation of this resolution at regular intervals;

7. *Calls* upon all States, the United Nations and concerned parties, to cooperate in a full and timely manner with the monitoring mechanism;

8. *Urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under their domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures imposed by resolutions 1267 (1999) and 1333 (2000), and to inform the Committee established pursuant to resolution 1267 (1999) of the adoption of such measures, and invites States to report the results of all related investigations or enforcement actions to the Committee unless to do so would compromise the investigation or enforcement action;

9. *Requests* the Secretary-General to make the necessary arrangements to support the work of the monitoring mechanism, as an expense of the Organization and through a United Nations Trust Fund established for this purpose, affirms that this Trust Fund will be established by the Secretary-General, encourages States to contribute to the Fund and to contribute, through the Secretary-General, personnel, equipment and services to the monitoring mechanism; and further requests the Secretary-General to keep the Committee established pursuant to resolution 1267 (1999) informed on a regular basis of the financial arrangements supporting the mechanism;

10. *Expresses* its intention to review the implementation of the measures imposed by resolutions 1267 (1999) and 1333 (2000) on the basis of the information provided by the monitoring mechanism through the Committee established pursuant to resolution 1267 (1999);

11. *Decides* to remain seized of the matter.

76. Resolution 1390 (2002)

THE SITUATION IN AFGHANISTAN (MODIFICATION AND
STRENGTHENING OF THE SANCTIONS REGIME ESTABLISHED
BY RESOLUTION 1267 (1999))

*Adopted by the Security Council at its 4452nd meeting,
on 16 January 2002*

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000 and 1363 (2001) of 30 July 2001,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1378 (2001) of 14 November 2001 and 1383 (2001) of 6 December 2001,

Reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,

Reaffirming its unequivocal condemnation of the terrorist attacks which took place in New York, Washington and Pennsylvania on 11 September 2001, expressing its determination to prevent all such acts, noting the continued activities of Usama bin Laden and the Al-Qaida network in supporting international terrorism, and expressing its determination to root out this network,

Noting the indictments of Usama bin Laden and his associates by the United States of America for, *inter alia*, the 7 August 1998 bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania,

Determining that the Taliban have failed to respond to the demands in paragraph 13 of resolution 1214 (1998) of 8 December 1998, paragraph 2 of resolution 1267 (1999) and paragraphs 1, 2 and 3 of resolution 1333 (2000),

Condemning the Taliban for allowing Afghanistan to be used as a base for terrorists training and activities, including the export of terrorism by the Al-Qaida network and other terrorist groups as well as for using foreign mercenaries in hostile actions in the territory of Afghanistan,

Condemning the Al-Qaida network and other associated terrorist groups, for the multiple criminal, terrorist acts, aimed at causing the deaths of numerous innocent civilians, and the destruction of property,

Reaffirming further that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to continue the measures imposed by paragraph 8 (c) of resolution 1333 (2000) and takes note of the continued application of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), in accordance with paragraph 2 below, and decides to terminate the measures imposed in paragraph 4 (a) of resolution 1267 (1999);

2. *Decides* that all States shall take the following measures with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) to be updated regularly by the Committee established pursuant to resolution 1267 (1999) hereinafter referred to as “the Committee”;

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons’ benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale and transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

3. *Decides* that the measures referred to in paragraphs 1 and 2 above will be reviewed in 12 months and that at the end of this period the Council will either allow these measures to continue or decide to improve them, in keeping with the principles and purposes of this resolution;

4. *Recalls* the obligation placed upon all Member States to implement in full resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing,

planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts;

5. *Requests* the Committee to undertake the following tasks and to report on its work to the Council with its observations and recommendations;

(a) To update regularly the list referred to in paragraph 2 above, on the basis of relevant information provided by Member States and regional organizations;

(b) To seek from all States information regarding the action taken by them to implement effectively the measures referred to in paragraph 2 above, and thereafter to request from them whatever further information the Committee may consider necessary;

(c) To make periodic reports to the Council on information submitted to the Committee regarding the implementation of this resolution;

(d) To promulgate expeditiously such guidelines and criteria as may be necessary to facilitate the implementation of the measures referred to in paragraph 2 above;

(e) To make information it considers relevant, including the list referred to in paragraph 2 above, publicly available through appropriate media;

(f) To cooperate with other relevant Security Council Sanctions Committees and with the Committee established pursuant to paragraph 6 of its resolution 1373 (2001);

6. *Requests* all States to report to the Committee, no later than 90 days from the date of adoption of this resolution and thereafter according to a timetable to be proposed by the Committee, on the steps they have taken to implement the measures referred to in paragraph 2 above;

7. *Urges* all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 9 below;

8. *Urges* all States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures referred to in paragraph 2 of this resolution, and to inform the Committee of the adoption of such measures, and invites States to report the results of all related investigations or enforcement actions to the Committee unless to do so would compromise the investigation or enforcement actions;

9. *Requests* the Secretary-General to assign the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001), whose mandate expires on 19 January 2002, to monitor, for a period

of 12 months, the implementation of the measures referred to in paragraph 2 of this resolution;

10. *Requests* the Monitoring Group to report to the Committee by 31 March 2002 and thereafter every 4 months;

11. *Decides* to remain actively seized of the matter.

77. Resolution 1452 (2002)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (ON EXEMPTIONS FOR THE RELEASE OF FUNDS UNDER
THE SANCTIONS REGIME OVERSEEN BY THE 1267 COMMITTEE)

*Adopted by the Security Council at its 4678th meeting,
on 20 December 2002*

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001 and 1390 (2002) of 16 January 2002,

Expressing its determination to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Reaffirming its resolution 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism, in accordance with the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of paragraph 4 (b) of resolution 1267 (1999), and paragraphs 1 and 2 (a) of resolution 1390 (2002), do not apply to funds and other financial assets or economic resources that have been determined by the relevant State(s) to be:

(a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources, after notification by the relevant State(s) to the Committee established pursuant to resolution 1267 (1999) (hereinafter referred to as “the Committee”) of the intention to authorize, where appropriate, access to such funds, assets or resources and in the absence of a negative decision by the Committee within 48 hours of such notification;

(b) necessary for extraordinary expenses, provided that such determination has been notified by the relevant State(s) to the Committee and has been approved by the Committee;

2. *Decides* that all States may allow for the addition to accounts subject to the provisions of paragraph 4 (b) of resolution 1267 (1999) and paragraphs 1 and 2 (a) of resolution 1390 (2002) of:

- (a) interest or other earnings due on those accounts, or
- (b) payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of resolutions 1267 (1999), 1333 (2000), or 1390 (2002), provided that any such interest, other earnings and payments continue to be subject to those provisions;

3. *Decides* that the Committee shall, in addition to the tasks set forth in paragraph 6 of resolution 1267 (1999) and paragraph 5 of resolution 1390 (2002):

- (a) maintain and regularly update a list of the States that have notified the Committee of their intent to apply the provisions of paragraph 1 (a) above in their implementation of the relevant resolutions and as to which there was no negative decision by the Committee; and
- (b) consider and approve, if appropriate, requests for extraordinary expenses as provided for in paragraph 1 (b) above;

4. *Decides* that the exception provided for in paragraph 4 (b) of resolution 1267 (1999) will cease to have effect from the date of adoption of this resolution;

5. *Urges* Member States to take full account of the considerations set out above in their implementation of resolution 1373 (2001);

6. *Decides* to remain seized of the matter.

78. Resolution 1455 (2003)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED
BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF
THE SANCTIONS REGIME UNDER RESOLUTIONS 1267 (1999),
1333 (2000) AND 1390 (2002))

*Adopted by the Security Council at its 4686th meeting,
on 17 January 2003*

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002 and 1452 (2002) of 20 December 2002,

Underlining the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts, as well as to facilitate the implementation of counter terrorism obligations in accordance with relevant Security Council resolutions,

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

Noting that, in giving effect to the measures in paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Reiterating its condemnation of the Al-Qaida network and other associated terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing the deaths of innocent civilians, and other victims, and the destruction of property,

Reiterating its unequivocal condemnation of all forms of terrorism and terrorist acts as noted in resolutions 1368 (2001) of 12 September 2001, 1438 (2002) of 14 October 2002, 1440 (2002) of 24 October 2002, and 1450 (2002) of 13 December 2002,

Reaffirming that acts of international terrorism constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* 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);

2. *Decides* that the measures referred to in paragraph 1 above will be further improved in 12 months, or sooner if necessary;

3. *Stresses* the need for improved coordination and increased exchange of information between the Committee established pursuant to resolution 1267 (1999) (hereinafter referred to as “the Committee”) and the Committee established pursuant to resolution 1373 (2001);

4. *Requests* the Committee to communicate to Member States the list referred to in paragraph 2 of resolution 1390 (2002) at least every three months, and stresses to all Member States the importance of submitting to the Committee the names and identifying information, to the extent possible, of and about members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them so that the Committee can consider adding new names and details to its list, unless to do so would compromise investigations or enforcement actions;

5. *Calls upon* all States to continue to take urgent steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating in their territory, to prevent and punish violations of the measures referred to in paragraph 1 of this resolution, and to inform the Committee of the adoption of such measures, and invites States to report the results of all related investigations or enforcement actions to the Committee, unless to do so would compromise the investigation or enforcement actions;

6. *Calls upon* all States to submit an updated report to the Committee no later than 90 days from adoption of this resolution on all steps taken to implement the measures referred to in paragraph 1 above and all related investigations and enforcement actions, including a comprehensive summary of frozen assets of listed individuals and entities within Member State territories, unless to do so would compromise investigations or enforcement actions;

7. *Calls upon* all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and with the Monitoring Group referred to in paragraph 8 below, including supplying such information as may be sought by the Committee pursuant to all pertinent resolutions and by providing all relevant information, to the extent possible, to facilitate proper identification of all listed individuals and entities;

8. *Requests* the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to reappoint five experts, drawing, as much as possible and as appropriate, on the expertise of the members of the Monitoring Group established pursuant to paragraph 4 (a) of resolution 1363 (2001), to monitor for a further period of 12 months the implementation of the measures referred to in paragraph 1 of this resolution and to follow up on relevant leads relating to any incomplete implementation of the measures referred to in paragraph 1 above;

9. *Requests* the Chairman of the Committee to report orally at least every 90 days to the Council in detail on the overall work of the Committee and the Monitoring Group and stipulates that these updates shall include a summary of progress in submitting the reports referred to in paragraph 6 of resolution 1390 (2002) and paragraph 6 above;

10. *Requests* the Secretary-General to ensure that the Monitoring Group and the Committee and its Chairman have access to sufficient expertise and resources as and when required to assist in the discharge of their responsibilities;

11. *Requests* the Committee to consider, where and when appropriate, a visit to selected countries by the Chairman of the Committee and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to implement all relevant Council resolutions;

12. *Requests* the Monitoring Group to submit a detailed work programme within 30 days of the adoption of this resolution and to assist the Committee in providing guidance for Member States on the format of the reports referred to in paragraph 6 above;

13. *Further requests* the Monitoring Group to submit two written reports to the Committee, the first by 15 June 2003 and the second by 1 November 2003, on implementation of the measures referred to in paragraph 1 above and to brief the Committee when the Committee so requests;

14. *Further requests* the Committee, through its Chairman, to provide the Council by 1 August 2003 and by 15 December 2003 with detailed oral assessments of Member State implementation of the measures referred to in paragraph 1 above based on Member State reports referred to in paragraph 6 above, paragraph 6 of resolution 1390 (2002) and all pertinent parts of Member State reports submitted under resolution 1373 (2001), and in line with transparent criteria to be determined by the Committee and communicated to all Member States, in addition to considering supplementary recommendations by the Monitoring Group, with a view to recommending further measures for Council consideration to improve the measures referred to in paragraph 1 above;

15. *Requests* the Committee, based on its oral assessments, through its Chairman, to the Council referred to in paragraph 14 above, to prepare and then to circulate a written assessment to the Council of actions taken by States to implement the measures referred to in paragraph 1 above;

16. *Decides* to remain actively seized of the matter.

79. Resolution 1526 (2004)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE
SANCTIONS REGIME UNDER RESOLUTIONS 1267 (1999), 1333 (2000),
1390 (2002) AND 1452 (2002))

*Adopted by the Security Council at its 4908th meeting,
on 30 January 2004*

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, and 1455 (2003) of 17 January 2003,

Underlining the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to any member of the Taliban and the Al-Qaida organization, and any individuals, groups, undertakings and entities associated with the Taliban and the Al-Qaida organization, who have participated in the financing, planning, facilitating and preparation or perpetration of terrorist acts or in supporting terrorist acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

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

Noting that, in giving effect to the measures in paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Reiterating its condemnation of the Al-Qaida network and other associated terrorist groups for ongoing and multiple criminal terrorist acts, aimed at causing the deaths of innocent civilians, and other victims, and the destruction of property, and greatly undermining stability,

Reiterating its unequivocal condemnation of all forms of terrorism and terrorist acts,

Stressing to all States, international bodies, and regional organizations, the importance of ensuring that resources are committed, including through international partnership, to meet the ongoing threat the Al-Qaida organization and members of the Taliban, and any

individuals, groups, undertakings and entities associated with them, represent to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to improve, as set out in the following paragraphs of this resolution, 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) with respect to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the “Committee list”), namely to:

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons’ benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities; and recalls that all States shall implement the measures with respect to listed individuals and entities;

2. *Decides* to strengthen the mandate of the Committee established pursuant to resolution 1267 (1999) (“the Committee”) to include, in addition to the oversight of States’ implementation of the measures referred to in paragraph 1 above, a central role in assessing information for the Council’s review regarding effective implementation of the measures, as well as in recommending improvements to the measures;

3. *Decides* that the measures referred to in paragraph 1 above will be further improved in 18 months, or sooner if necessary;

4. *Calls upon* States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals and entities associated with the Al-Qaida organization, Usama bin Laden and/or the Taliban, taking into account, as appropriate, international codes and standards for combating the financing of terrorism, including those designed to prevent the abuse of non-profit organizations and informal/alternative remittance systems;

5. *Urges* all States and encourages regional organizations, as appropriate, to establish internal reporting requirements and procedures on the trans-border movement of currency based on applicable thresholds;

6. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to establish for a period of 18 months a New York-based Analytical Support and Sanctions Monitoring Team (hereinafter referred to as “the Monitoring Team”) under the direction of the Committee with the responsibilities enumerated in the Annex to this resolution;

7. *Requests* the Secretary-General, upon adoption of this 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, of the Monitoring Team, who demonstrate one or more of the following areas of expertise related to activities of the Al-Qaida organization and/or the Taliban, including: counter-terrorism and related legislation; financing of terrorism and international financial transactions, including technical banking expertise; alternative remittance systems, charities, and use of couriers; border enforcement, including port security; arms embargoes and export controls; and drug trafficking;

8. *Further requests* the Monitoring Team to submit, in writing, three comprehensive, independent reports to the Committee, the first by 31 July 2004, the second by 15 December 2004, and the third by 30 June 2005, on implementation by States of the measures referred to in paragraph 1 above, including concrete recommendations for improved implementation of the measures and possible new measures;

9. *Requests* the Secretary-General to provide cost-effective support, as needed by the Committee, in light of the increased workload entailed by this resolution;

10. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), and 1455 (2003);

11. *Further requests* the Committee to follow up *via* oral and/or written communications with States regarding effective implementation

of the sanctions measures and to provide States with an opportunity, at the Committee's request, to send representatives to meet with the Committee for more in-depth discussion of relevant issues;

12. *Requests* the Committee, through its Chairman, to report orally at least every 120 days to the Council in detail on the overall work of the Committee and the Team, including a summary of States' progress in submitting the reports referred to in paragraph 6 of resolution 1455 (2003) and any follow-up communications with States regarding additional requests for information and assistance;

13. *Further requests* the Committee, based on its ongoing oversight of States' implementation of the measures referred to in paragraph 1 above, to prepare and then to circulate within 17 months after the adoption of this resolution a written analytical assessment to the Council on implementation of the measures, including States' successes and challenges in implementing them, with a view to recommending further measures for the Council's consideration;

14. *Requests* all States, and encourages regional organizations, relevant United Nations bodies, and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and the Monitoring Team, including supplying such information as may be sought by the Committee pursuant to this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1452 (2002) and 1455 (2003), to the extent possible;

15. *Reiterates* the need for close coordination and concrete exchange of information between the Committee and the Committee established pursuant to resolution 1373 (the "Counter-Terrorism Committee");

16. *Reiterates* to all States the importance of proposing to the Committee the names of members of the Al-Qaida organization and the Taliban or associated with Usama bin Laden and other individuals, groups, undertakings and entities associated with them for inclusion in the Committee's list, unless to do so would compromise investigations or enforcement actions;

17. *Calls upon* all States, when submitting new names to the Committee's list, to include identifying information and background information, to the greatest extent possible, that demonstrates the individual(s)' and/or entity(ies)' association with Usama bin Laden or with members of the Al-Qaida organization and/or the Taliban, in line with the Committee's guidelines;

18. *Strongly encourages* all States to inform, to the extent possible, individuals and entities included in the Committee's list of the measures imposed on them, and of the Committee's guidelines and resolution 1452 (2002);

19. *Requests* the Secretariat to communicate to Member States the Committee's list at least every three months to facilitate States' implementation of the measures on entry and travel imposed by paragraph 2 (b) of resolution 1390 (2002), and *further requests* that the Committee's list, whenever amended, be automatically conveyed by the Secretariat to all States, regional and subregional organizations for inclusion, to the extent possible, of listed names in their respective electronic databases and relevant border enforcement and entry/exit tracking systems;

20. *Reiterates* the urgency for all States to comply with their existing obligations to implement the measures referred to in paragraph 1 above and to ensure that their domestic legislative enactments or administrative measures, as appropriate, permit the immediate implementation of those measures with respect to their nationals and other individuals or entities located or operating in their territory, and with respect to funds, other financial assets and economic resources over which they have jurisdiction, and to inform the Committee of the adoption of such measures, and *invites* States to report the results of all related investigations and enforcement actions to the Committee, unless to do so would compromise the investigation or enforcement actions;

21. *Requests* that the Committee seek from States, as appropriate, status reports on the implementation of the measures referred to in paragraph 1 above concerning listed individuals and entities, specifically with respect to the aggregate amounts of the listed individuals' and entities' frozen assets;

22. *Requests* all States that have not yet done so to submit to the Committee by 31 March 2004 the updated reports called for under paragraph 6 of resolution 1455 (2003), following as closely as possible the guidance document previously provided by the Committee; and *further requests* that all States that have not submitted these reports to explain in writing to the Committee by 31 March 2004 their reasons for non-reporting;

23. *Requests* the Committee to circulate to the Council a list of those States that have not submitted by 31 March 2004 reports pursuant to paragraph 6 of resolution 1455 (2003), including an analytical summary of the reasons put forward by States for non-reporting;

24. *Urges* all States and encourages relevant international, regional and subregional organizations to become more directly involved in capacity-building efforts and to offer technical assistance in areas identified by the Committee, in consultation with the Counter-Terrorism Committee;

25. *Decides* to remain actively seized of the matter.

80. Resolution 1566 (2004)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (ESTABLISHMENT OF A WORKING GROUP ON MEASURES TO BE IMPOSED UPON INDIVIDUALS, GROUPS OR ENTITIES OTHER THAN THOSE COVERED BY THE AL QAIDA/TALIBAN SANCTIONS COMMITTEE)

*Adopted by the Security Council at its 5053rd meeting,
on 8 October 2004*

The Security Council,

Reaffirming its resolutions 1267 (1999) of 15 October 1999 and 1373 (2001) of 28 September 2001 as well as its other resolutions concerning threats to international peace and security caused by terrorism,

Recalling in this regard its resolution 1540 (2004) of 28 April 2004,

Reaffirming also the imperative to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations and international law,

Deeply concerned by the increasing number of victims, including children, caused by acts of terrorism motivated by intolerance or extremism in various regions of the world,

Calling upon States to cooperate fully with the Counter-Terrorism Committee (CTC) established pursuant to resolution 1373 (2001), including the recently established Counter-Terrorism Committee Executive Directorate (CTED), the “Al-Qaida/Taliban Sanctions Committee” established pursuant to resolution 1267 (1999) and its Analytical Support and Sanctions Monitoring Team, and the Committee established pursuant to resolution 1540 (2004), and *further calling upon* such bodies to enhance cooperation with each other,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Considering that acts of terrorism seriously impair the enjoyment of human rights and threaten the social and economic development of all States and undermine global stability and prosperity,

Emphasizing that enhancing dialogue and broadening the understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and addressing unresolved

regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation, which by itself is necessary to sustain the broadest possible fight against terrorism,

Reaffirming its profound solidarity with victims of terrorism and their families,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* in the strongest terms all acts of terrorism irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace and security;

2. *Calls upon* States to cooperate fully in the fight against terrorism, especially with those States where or against whose citizens terrorist acts are committed, in accordance with their obligations under international law, in order to find, deny safe haven and bring to justice, on the basis of the principle to extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens;

3. *Recalls* that criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act, which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature, and *calls upon* all States to prevent such acts and, if not prevented, to ensure that such acts are punished by penalties consistent with their grave nature;

4. *Calls upon* all States to become party, as a matter of urgency, to the relevant international conventions and protocols whether or not they are a party to regional conventions on the matter;

5. *Calls upon* Member States to cooperate fully on an expedited basis in resolving all outstanding issues with a view to adopting by consensus the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism;

6. *Calls upon* relevant international, regional and subregional organizations to strengthen international cooperation in the fight against terrorism and to intensify their interaction with the United Nations and, in particular, the CTC with a view to facilitating full and timely implementation of resolution 1373 (2001);

7. *Requests* the CTC in consultation with relevant international, regional and subregional organizations and the United Nations bodies

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

8. *Directs* the CTC, as a matter of priority and, when appropriate, in close cooperation with relevant international, regional and sub-regional organizations to start visits to States, with the consent of the States concerned, in order to enhance the monitoring of the implementation of resolution 1373 (2001) and facilitate the provision of technical and other assistance for such implementation;

9. *Decides* to establish a working group consisting of all members of the Security Council 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, other than those designated by the Al-Qaida/Taliban Sanctions Committee, including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing of their financial assets, preventing their movement through the territories of Member States, preventing supply to them of all types of arms and related material, and on the procedures for implementing these measures;

10. *Requests* further the working group, established under paragraph 9 to consider the possibility of establishing an international fund to compensate victims of terrorist acts and their families, which might be financed through voluntary contributions, which could consist in part of assets seized from terrorist organizations, their members and sponsors, and submit its recommendations to the Council;

11. *Requests* the Secretary-General to take, as a matter of urgency, appropriate steps to make the CTED fully operational and to inform the Council by 15 November 2004;

12. *Decides* to remain actively seized of the matter.

81. Resolution 1617 (2005)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED
BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING
OF THE SANCTIONS REGIME UNDER RESOLUTION 1267 (1999),
1333 (2000), 1390 (2002))

Adopted by the Security Council at its 5244th meeting, on 29 July 2005

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004 and 1566 (2004) of 8 October 2004, and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed; and reiterating its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban—and associated individuals, groups, undertakings and entities—for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its concern over the use of various media, including the Internet, by Al-Qaida, Usama bin Laden, and the Taliban, and their associates, including for terrorist propaganda and inciting terrorist violence, and urging the working group established pursuant to resolution 1566 (2004) to consider these issues,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Emphasizing the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to the Taliban or Al-Qaida, and any individuals, groups, undertakings or entities associated with Al-Qaida, Usama bin Laden or the Taliban, who have participated in financing, planning, facilitating, recruiting for, preparing, perpetrating, or otherwise supporting terrorist activities or acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Stressing the importance of clarifying which individuals, groups, undertakings and entities are subject to listing in light of information regarding the changing nature of, and threat from, Al-Qaida, particularly as reported by the Analytical Support and Sanctions Monitoring Team (“Monitoring Team”),

Underscoring the importance of Member State designations pursuant to relevant resolutions and robust implementation of existing measures as a significant preventive measure in combating terrorist activity,

Noting that, in giving effect to the measures in paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), full account is to be taken of the provisions of paragraphs 1 and 2 of resolution 1452 (2002),

Welcoming the efforts of the International Civil Aviation Organization to prevent travel documents from being made available to terrorists and their associates,

Encouraging Member States to work in the framework of Interpol, in particular through the use of the Interpol database of stolen and lost travel documents, to reinforce the implementation of the measures against Al-Qaida, Usama bin Laden, and the Taliban, and their associates,

Expressing its concern over the possible use by Al-Qaida, Usama bin Laden, or the Taliban, and their associates of Man-Portable Air Defence Systems (MANPADS), commercially available explosives and chemical, biological, radiation or nuclear weapons and material, and encouraging Member States to consider possible action to reduce these threats,

Urging all States, international bodies, and regional organizations to allocate sufficient resources, including through international partnership, to meet the ongoing and direct threat posed by Al-Qaida, Usama bin Laden and the Taliban, and individuals, groups, undertakings and entities associated with them,

Stressing the importance of meeting the ongoing threat that Al-Qaida, Usama bin Laden and the Taliban, and individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that all States shall take the measures as 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 Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the “Consolidated List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings

and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons' benefit, by their nationals or by any persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee established pursuant to resolution 1267 (1999) ("the Committee") determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Further decides* that acts or activities indicating that an individual, group, undertaking, or entity is "associated with" Al-Qaida, Usama bin Laden or the Taliban include:

- Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;
- Supplying, selling or transferring arms and related materiel to;
- Recruiting for; or
- Otherwise supporting acts or activities of;

Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further decides* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Decides* that, when proposing names for the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and henceforth also shall provide to the Committee a statement of case describing the basis of the proposal; and further encourages

States to identify any undertakings and entities owned or controlled, directly or indirectly, by the proposed subject;

5. *Requests* relevant States to inform, to the extent possible, and in writing where possible, individuals and entities included in the Consolidated List of the measures imposed on them, the Committee's guidelines, and, in particular, the listing and delisting procedures and the provisions of resolution 1452 (2002);

6. *Decides* that the statement of case submitted by the designating State referred to in paragraph 4 above may be used by the Committee in responding to queries from Member States whose nationals, residents or entities have been included on the Consolidated List; decides also that the Committee may decide on a case-by-case basis to release the information to other parties, with the prior consent of the designating State, for example, for operational reasons or to aid the implementation of the measures; decides also that States may continue to provide additional information which shall be kept on a confidential basis within the Committee unless the submitting State agrees to the dissemination of such information;

7. *Strongly urges* all Member States to implement the comprehensive, international standards embodied in the Financial Action Task Force's (FATF) Forty Recommendations on Money Laundering and the FATF Nine Special Recommendations on Terrorist Financing;

8. *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and Interpol in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 above;

9. *Urges* all Member States, in their implementation of the measures called for in paragraph 1 above, to ensure that stolen and lost passports and other travel documents are invalidated as soon as possible and share information on those documents with other Member States through the Interpol database;

10. *Calls* on all Member States to use the checklist contained in annex II of this resolution to report by 1 March 2006 to the Committee on specific actions that they have taken to implement the measures outlined in paragraph 1 above with regard to individuals and entities henceforth added to the Consolidated List, and thereafter at intervals to be determined by the Committee;

11. *Directs* the Committee to encourage the submission of names and additional identifying information from Member States for inclusion on the Consolidated List;

12. *Calls upon* the Committee, working in cooperation with the Committee established pursuant to resolution 1373 (the "Counter-Terrorism

Committee” or “CTC”) to inform the Council of specific additional steps that States could take to implement the measures outlined in paragraph 1 above;

13. *Reiterates* the need for ongoing close cooperation and exchange of information among the Committee, the CTC, and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information sharing, coordinated visits to countries, technical assistance, and other issues of relevance to all three committees;

14. *Further reiterates* the importance of having the Committee follow up *via* oral and/or written communications with Member States regarding effective implementation of the sanctions measures and provide Member States with an opportunity, at the Committee’s request, to send representatives to meet the Committee for more in-depth discussion of relevant issues;

15. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003) and 1526 (2004);

16. *Requests* the Committee to report orally, through its Chairman, at least every 120 days to the Council on the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

17. *Reminds* the Committee of its responsibilities as outlined in paragraph 14 of resolution 1455 (2003) and paragraph 13 of resolution 1526 (2004), and calls upon the Committee to provide the Council no later than 31 July 2006 with an update of the written assessment referred to in paragraph 13 of resolution 1526 (2004) of actions taken by Member States to implement the measures described in paragraph 1 above;

18. *Requests* that the Committee continue its work on the Committee’s guidelines, including on listing and delisting procedures, and implementation of resolution 1452 (2002) and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 16 above, to provide progress reports on the Committee’s work on these issues;

19. *Decides*, 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;

20. *Requests* the Secretary-General, upon adoption of this 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, taking into account the areas of expertise referred to in paragraph 7 of resolution 1526 (2004);

21. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 17 months, or sooner if necessary;

22. *Decides* to remain actively seized of the matter.

82. Resolution 1730 (2006)

GENERAL ISSUES OF SANCTIONS (ESTABLISHMENT OF A DELISTING
PROCEDURE AND A FOCAL POINT WITHIN THE SECRETARIAT
(SECURITY COUNCIL SUBSIDIARY ORGANS BRANCH))

*Adopted by the Security Council at its 5599th meeting,
on 19 December 2006*

The Security Council,

Recalling the statement of its President of 22 June 2006 (S/PRST/2006/28),

Emphasizing that sanctions are an important tool in the maintenance and restoration of international peace and security,

Further emphasizing the obligations placed upon all Member States to implement, in full, the mandatory measures adopted by the Security Council,

Continuing in its resolve to ensure that sanctions are carefully targeted in support of clear objectives and implemented in ways that balance effectiveness against possible adverse consequences,

Committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions,

1. *Adopts* the delisting procedure in the document annexed to this resolution and *requests* the Secretary-General to establish within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive delisting requests and to perform the tasks described in the attached annex;

2. *Directs* the sanctions committees established by the Security Council, including those established pursuant to resolution 1718 (2006), 1636 (2005), 1591 (2005), 1572 (2004), 1533 (2004), 1521 (2005), 1518 (2003), 1267 (1999), 1132 (1997), 918 (1994), and 751 (1992) to revise their guidelines accordingly;

3. *Decides* to remain seized of the matter.

Delisting procedure

The Security Council requests the Secretary-General to establish, within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive delisting requests. Petitioners seeking to submit

a request for delisting can do so either through the focal point process outlined below or through their state of residence or citizenship.⁴

The focal point will perform the following tasks:

1. Receive delisting requests from a petitioner (individual(s), groups, undertakings, and/or entities on the Sanctions Committee's lists).
2. Verify if the request is new or is a repeated request.
3. If it is a repeated request and if it does not contain any additional information, return it to the petitioner.
4. Acknowledge receipt of the request to the petitioner and inform the petitioner on the general procedure for processing that request.
5. Forward the request, for their information and possible comments to the designating government(s) and to the government(s) of citizenship and residence. Those governments are encouraged to consult with the designating government(s) before recommending delisting. To this end, they may approach the focal point, which, if the designating state(s) so agree(s), will put them in contact with the designating state(s).
6. (a) If, after these consultations, any of these governments recommend delisting, that government will forward its recommendation, either through the focal point or directly to the Chairman of the Sanctions Committee, accompanied by that government's explanation. The Chairman will then place the delisting request on the Committee's agenda.
- (b) If any of the governments, which were consulted on the delisting request under paragraph 5 above oppose the request, the focal point will so inform the Committee and provide copies of the delisting request. Any member of the Committee, which possesses information in support of the delisting request, is encouraged to share such information with the governments that reviewed the delisting request under paragraph 5 above.
- (c) If, after a reasonable time (3 months), none of the governments which reviewed the delisting request under paragraph 5 above comment, or indicate that they are working on the delisting request to the Committee and require an additional definite period of time, the focal point will so notify all members of the Committee and provide copies of the delisting request. Any member of the Committee may, after consultation with the designating government(s), recommend delisting by forwarding the request to the Chairman of the Sanctions Committee, accompanied by an explanation. (Only

⁴ A State can decide, that as a rule, its citizens or residents should address their delisting requests directly to the focal point. The State will do so by a declaration addressed to the Chairman of the Committee that will be published on the Committee's website.

one member of the Committee needs to recommend delisting in order to place the issue on the Committee's agenda.) If after one month, no Committee member recommends delisting, then it shall be deemed rejected and the Chairman of the Committee shall inform the focal point accordingly.

7. The focal point shall convey all communications, which it receives from Member States, to the Committee for its information.

8. Inform the petitioner:

(a) Of the decision of the Sanctions Committee to grant the delisting petition; or

(b) That the process of consideration of the delisting request within the Committee has been completed and that the petitioner remains on the list of the Committee.

83. Resolution 1735 (2006)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE
SANCTIONS REGIME UNDER RESOLUTIONS 1267 (1999), 1333 (2000)
AND 1390 (2002))

*Adopted by the Security Council at its 5609th meeting,
on 22 December 2006*

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004, 1566 (2004) of 8 October 2004, 1617 (2005) of 29 July 2005, 1624 (2005) of 14 September 2005, and 1699 (2006) of 8 August 2006, and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed; and reiterating its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban, and other individuals, groups, undertakings, and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida, and other individuals, groups, undertakings, and entities associated with them,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that dialogue between the Committee established pursuant to resolution 1267 (1999) (“the Committee”) and Member States is vital to the full implementation of the measures,

Recognizing that one of the most effective means of dialogue between the Committee and Member States is through direct contact, including country visits,

Welcoming the expanded cooperation with Interpol, including the establishment of “Interpol–UN Security Council Special Notices” and the passage of resolution 1699 (2006), and encouraging Member States to work in the framework of Interpol and other international and regional organizations in order to reinforce the implementation of the measures against Al-Qaida, Usama bin Laden, and the Taliban, and other individuals, groups, undertakings and entities associated with them,

Noting the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Reiterating that the measures referred to in paragraph 1 below, are preventative in nature and are not reliant upon criminal standards set out under national law,

Underscoring that, in giving effect to the measures in paragraph 1 of resolution 1617 (2005) and other relevant resolutions, full account is to be taken of the provisions regarding exemptions in paragraphs 1 and 2 of resolution 1452 (2002),

Taking note of the Committee’s document on the arms embargo (SCA/2/06(20)), which is intended to be a useful tool to assist States in the implementation of the measures in paragraph 1 (c) of this resolution,

Expressing its deep concern about criminal misuse of the internet by Al-Qaida, Usama bin Laden, and the Taliban, and other individuals, groups, undertakings, and entities associated with them, in furtherance of terrorist acts,

Noting with concern the changing nature of the threat presented by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, in particular the ways in which terrorist ideologies are promoted,

Stressing the importance of meeting all aspects of the threat that Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them, as

referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the “Consolidated List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for such persons’ benefit, or by their nationals or by persons within their territory;

(b) Prevent the entry into or the transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee established pursuant to resolution 1267 (1999) (“the Committee”) determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Reminds* States of their obligation to freeze without delay the funds and other financial assets or economic resources pursuant to paragraph 1 (a) of this resolution;

3. *Confirms* that the requirements in paragraph 1 (a) of this resolution apply to economic resources of every kind;

4. *Calls upon* States to redouble their efforts to implement the measure in paragraph 1 (b) and 1 (c) of this resolution;

Listing

5. *Decides* that, when proposing names to the Committee for inclusion on the Consolidated List, States shall 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, including: (i) specific information supporting a determination that the individual or entity meets the criteria above; (ii) the nature of the information and (iii) supporting information or documents that can be

provided; States should include details of any connection between the proposed designee and any currently listed individual or entity;

6. *Requests* designating States, at the time of submission, to identify those parts of the statement of case which may be publicly released for the purposes of notifying the listed individual or entity, and those parts which may be released upon request to interested States;

7. *Calls upon* States to use the cover sheet attached in Annex I when proposing names for the Consolidated List, in order to ensure clarity and consistency in requests for listing;

8. *Directs* the Committee to encourage the submission of names from Member States for inclusion on the Consolidated List;

9. *Directs* the Committee to encourage States to submit additional identifying and other information on listed individuals and entities, including updates on assets frozen and the movement of listed individuals as such information becomes available;

10. *Decides* that the Secretariat shall, after publication but within two weeks 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), and include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002);

11. *Calls upon* States receiving notification as in paragraph 10 to take reasonable steps according to their domestic laws and practices to notify or inform the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, the provisions of resolution 1452 (2002);

12. *Encourages* States to submit to the Committee for inclusion on the Consolidated List names of individuals and entities participating in the financing or support of acts or activities of Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005), by any means, including but not limited to using proceeds derived from illicit cultivation, production, and trafficking of narcotic drugs originating in Afghanistan, and their precursors;

Delisting

13. *Decides* that the Committee shall continue to develop, adopt, and apply guidelines regarding the delisting of individuals and entities on the Consolidated List;

14. *Decides* that the Committee, in determining whether to remove names from the Consolidated List, may consider, among other things, (i) whether the individual or entity was placed on the Consolidated List due to a mistake of identity, or (ii) whether the individual or entity no longer meets the criteria set out in relevant resolutions, in particular resolution 1617 (2005); in making the evaluation in (ii) above, the Committee may consider, among other things, whether the individual is deceased, or whether it has been affirmatively shown that the individual or entity has severed all association, as defined in resolution 1617 (2005), with Al-Qaida, Usama bin Laden, the Taliban, and their supporters, including all individuals and entities on the Consolidated List;

Exemptions

15. *Decides* 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 3 working days;

16. *Reiterates* that the Committee must make a negative decision on notifications submitted pursuant to paragraph 1 (a) of resolution 1452 (2002), in order to prevent the release of funds and other financial assets or economic resources that have been determined by the notifying State(s) to be necessary for basic expenses;

17. *Directs* the Committee to review its guidelines with respect to the provisions of paragraph 1 (a) of resolution 1452 (2002) as reiterated in paragraph 15 above;

18. *Encourages* States that submit 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;

Measures implementation

19. *Encourages* States to identify, and if necessary introduce, adequate procedures to fully implement all aspects of the measures described in paragraph 1 of this resolution;

20. *Stresses* that the measures imposed by paragraph 1 (a) of this resolution apply to all forms of financial resources, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them;

21. *Directs* the Committee to identify possible cases of noncompliance with the measures pursuant to paragraph 1 above, and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 31 below, to provide progress reports on the Committee's work on this issue;

22. *Requests* States to ensure that the most up-to-date version of the Consolidated List is promptly made available to relevant Government offices and other relevant bodies, in particular, those offices responsible for the assets freeze and border control;

23. *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and relevant international and regional organizations, including Interpol, ICAO, IATA, and the WCO, in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 of this resolution;

Taliban

24. *Encourages* States to submit names of individuals and entities currently associated with the Taliban to the Committee for inclusion on the Consolidated List;

25. *Directs* the Committee to encourage States to provide additional identifying and other information on listed Taliban individuals and entities;

26. *Directs* the Committee to work, in accordance with its guidelines, to consider requests for inclusion on the Consolidated List, names of individuals and entities associated with the Taliban, and to consider petitions for the removal of listed members and/or associates of the Taliban who are no longer associated with the Taliban;

Coordination

27. *Reiterates* the need for ongoing close cooperation and exchange of information among the Committee, the Counter-Terrorism Committee ("CTC"), and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information sharing, coordinated visits to countries, technical assistance, and other issues of relevance to all three committees;

Outreach

28. *Further reiterates* the importance of having the Committee follow up *via* oral and/or written communications with Member States regarding effective implementation of the sanctions measures;

29. *Strongly encourages* Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues;

30. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004) and 1617 (2005);

31. *Requests* the Committee to report orally, through its Chairman, at least every 180 days to the Council on the overall work of the Committee and the Analytical Support and Sanctions Monitoring Team (“Monitoring Team”), and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team and Reviews

32. *Decides*, 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, under the direction of the Committee with the responsibilities outlined in Annex II, and requests the Secretary-General to make the necessary arrangements to this effect;

33. *Decides* to review the measures described in paragraph 1 of this resolution with a view to their possible further strengthening in 18 months, or sooner if necessary;

34. *Decides* to remain actively seized of the matter.

84. Resolution 1822 (2008)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED
BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING
OF THE SANCTIONS REGIME UNDER RESOLUTION 1267 (1999),
1333 (2000), AND 1390 (2002))

Adopted by the Security Council at its 5928th meeting, on 30 June 2008

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), and 1735 (2006), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban, and other individuals, groups, undertakings, and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee, and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Welcoming the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Reiterating its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida and other individuals, groups, undertakings and entities associated with them,

Recalling its resolution 1817 (2008) and reiterating its support for the fight against illicit production and trafficking of drugs from and chemical precursors to Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

Expressing its deep concern about criminal misuse of the Internet by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, in furtherance of terrorist acts,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Urging all Member States, international bodies, and regional organizations to allocate sufficient resources to meet the ongoing and direct threat posed by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, including by participating actively in identifying which individuals, groups, undertakings and entities should be subject to the measures referred to in paragraph 1 of this resolution,

Reiterating that dialogue between the Committee established pursuant to resolution 1267 (1999) (“the Committee”) and Member States is vital to the full implementation of the measures,

Taking note of challenges to measures implemented by Member States in accordance with the measures referred to in paragraph 1 of this resolution and recognizing continuing efforts of Member States and the Committee to ensure that fair and clear procedures exist for placing individuals, groups, undertakings, and entities on the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the “Consolidated List”) and for removing them, as well as for granting humanitarian exemptions,

Reiterating that the measures referred to in paragraph 1 of this resolution, are preventative in nature and are not reliant upon criminal standards set out under national law,

Emphasizing the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to the Taliban or Al-Qaida, and any individuals, groups, undertakings or entities associated with Al-Qaida, Usama bin Laden or the Taliban, who have participated in financing, planning, facilitating, recruiting for, preparing, perpetrating, or otherwise supporting terrorist activities or acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Security Council resolutions,

Welcoming the establishment by the Secretary-General pursuant to resolution 1730 (2006) of the Focal Point within the Secretariat

to receive delisting requests, and taking note with appreciation of the ongoing cooperation between the Focal Point and the Committee,

Welcoming the continuing cooperation of the Committee and INTERPOL, in particular on the development of Special Notices, which assists Member States in their implementation of the measures, and recognizing the role of the Analytical Support and Sanctions Implementation Monitoring Team (“the Monitoring Team”) in this regard,

Welcoming the continuing cooperation of the Committee with the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, to assist Member States in implementing their obligations under this and other relevant resolutions and international instruments,

Noting with concern the continued threat posed to international peace and security by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, and reaffirming its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as 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 Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the “Consolidated List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons’ benefit, or by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories

or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking, or entity is “associated with” Al-Qaida, Usama bin Laden or the Taliban include:

(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) supplying, selling or transferring arms and related materiel to;

(c) recruiting for; or

(d) otherwise supporting acts or activities of;

Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1(a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings, or entities associated with them;

5. *Encourages* Member States to continue their efforts to act vigorously and decisively to cut the flow of funds and other financial assets and economic resources to Al-Qaida, Usama bin Laden and the Taliban and other individuals, group, undertakings and entities associated with them;

6. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

7. *Reaffirms* the provisions regarding available exemptions to the measures in paragraph 1(a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and reminds Member States to use the procedures for exemptions as set out in the Committee’s guidelines;

8. *Reiterates* the obligation of all Member States to implement and enforce the measures set out in paragraph 1 above, and urges all States to redouble their efforts in this regard;

Listing

9. *Encourages* all Member States to submit to the Committee for inclusion on the Consolidated List names of individuals, groups, undertakings, and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above;

10. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production, and trafficking of narcotic drugs originating in Afghanistan, and their precursors;

11. *Reiterates* its call for continued cooperation between the Committee and the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA), including by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban as described in paragraph 30 of resolution 1806 (2008);

12. *Reaffirms* that, when proposing names to the Committee for inclusion on the Consolidated List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and provide a detailed statement of case, and decides further that for each such proposal Member States shall identify those parts of the statement of case that may be publicly released, including for use by the Committee for development of the summary described in paragraph 13 below or for the purpose of notifying or informing the listed individual or entity, and those parts which may be released upon request to interested States;

13. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, after a name is added to the Consolidated List, to make accessible on the Committee's website a narrative summary of reasons for listing for the corresponding entry or entries on the Consolidated List, and further directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website narrative summaries of reasons for listing for entries that were added to the Consolidated List before the date of adoption of this resolution;

14. *Calls upon* Member States, when proposing names to the Committee for inclusion on the Consolidated List to use the cover sheet in annex I of resolution 1735 (2006) and requests that they provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the positive identification of individuals, groups, undertakings, and

entities by Member States, and directs the Committee to update the cover sheet in line with the provisions outlined in paragraphs 12 and 13 above;

15. *Decides* that the Secretariat shall, after publication but within one week 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) in accordance with paragraph 10 of resolution 1735 (2006);

16. *Underlines* the need for the prompt update of the Consolidated List on the Committee's website;

17. *Demands* that Member States receiving notification as in paragraph 15 above take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, any information on reasons for listing available on the Committee's website, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002) regarding available exemptions;

18. *Encourages* Member States receiving notification as in paragraph 15 above to inform the Committee on steps they have taken to implement the measures set out in paragraph 1 above, and on the measures taken in accordance with paragraph 17 above, and further encourages Member States to use the tools provided on the Committee's website to provide this information;

Delisting

19. *Welcomes* the establishment within the Secretariat of the Focal Point, pursuant to resolution 1730 (2006), that provides listed individuals, groups, undertakings or entities with the option to submit a petition for delisting directly to the Focal Point;

20. *Urges* designating States and States of citizenship and residence to review delisting petitions received through the Focal Point, in accordance with the procedures outlined in the annex to resolution 1730 (2006), in a timely manner and to indicate whether they support or oppose the request in order to facilitate the Committee's review;

21. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider petitions for the removal from the Consolidated List of members and/or associates of the Al-Qaida, Usama bin Laden, the Taliban who no longer meet the criteria established in the relevant resolutions;

22. *Directs* the Committee to consider an annual review of the names on the Consolidated List of individuals reported to be deceased, in which the names are circulated to the relevant states pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

23. *Decides* that the Secretariat shall, within one week 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), and demands that States receiving such notification 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;

Review and maintenance of the Consolidated List

24. *Encourages* all Member States, in particular designating states and states of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings, and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

25. *Directs* the Committee to conduct a review of all names on the Consolidated List at the date of adoption of this resolution by 30 June 2010 in which the relevant names are circulated to the designating states and states of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

26. *Further directs* the Committee, upon completion of the review described in paragraph 25 above, to 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 citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

Measures implementation

27. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

28. *Encourages* the Committee 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, and directs the Committee to keep its guidelines under active review in support of these objectives;

29. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 6, 12, 13, 17, 22, and 26 above;

30. *Encourages* Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues and welcomes voluntary briefings from interested Member States on their efforts to implement the measures referred to in paragraph 1 above, including particular challenges that hinder full implementation of the measures;

31. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

32. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and requests the Chairman, in periodic reports to the Council pursuant to paragraph 38 below, to provide progress reports on the Committee's work on this issue;

33. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen, and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

34. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen, and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

Coordination and outreach

35. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter Terrorism Committee (CTC), and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on technical assistance, on relations with international and regional organizations and agencies and on other

issues of relevance to all three committees, and expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts;

36. *Encourages* the Monitoring Team, and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with CTED and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing subregional workshops;

37. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), and 1735 (2006);

38. *Requests* the Committee to report orally, through its Chairman, at least every 180 days to the Council on the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team

39. *Decides*, 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, under the direction of the Committee with the responsibilities outlined in Annex 1, and requests the Secretary-General to make the necessary arrangements to this effect;

Reviews

40. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 18 months, or sooner if necessary;

41. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 39 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 28 February 2009 and the second by

31 July 2009, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee as instructed by the Committee;

(c) To assist the Committee in following-up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(d) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities, envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the CTC's Executive Directorate ("CTED") and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(e) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(f) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

(g) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(h) To present to the Committee recommendations, which could be used by member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(i) To assist the Committee in compiling publicly releasable information referred to in paragraph 13;

(j) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

- (k) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;
- (l) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Consolidated List as updated and accurate as possible;
- (m) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;
- (n) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1(a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Usama bin Laden, and the Taliban and other individuals, groups, undertakings and entities associated with them; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (o) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this Annex;
- (p) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;
- (q) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;
- (r) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- (s) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;
- (t) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);
- (u) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- (v) Any other responsibility identified by the Committee.

85. Resolution 1904 (2009)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE
SANCTIONS REGIME UNDER RESOLUTIONS 1267 (1999), 1333 (2000),
AND 1390 (2002) AND ESTABLISHMENT OF THE OFFICE OF
THE OMBUDSPERSON)⁵

*Adopted by the Security Council at its 6247th meeting,
on 17 December 2009*

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), and 1822 (2008), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *reiterating* its unequivocal condemnation of Al-Qaida, Usama bin Laden, the Taliban and other individuals, groups, undertakings and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by individuals, groups, undertakings and entities associated with Al-Qaida, Usama bin Laden or the Taliban with the aim of raising funds, or gaining political concessions,

Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

⁵ The mandate was extended by resolution 1989 of 17 June 2011, resolution 2083 of 17 December 2012, resolution 2161 of 17 June 2014, resolution 2253 of 17 December 2015 and resolution 2368 (2017) of 20 July 2017.

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Urging all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (“the Consolidated List”) by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

Taking note of challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution, *welcoming* improvements to the Committee’s procedures and the quality of the Consolidated List, and *expressing* its intent to continue efforts to ensure that procedures are fair and clear,

Reiterating that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

Recalling the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity building, and all other United Nations bodies, and encouraging further engagement with the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counterterrorism efforts of the United Nations system,

Noting with concern the continued threat posed to international peace and security ten years after the adoption of resolution 1267 (1999) by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, and *reaffirming* its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as 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 Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (“the Consolidated List”);

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons’ benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance, or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking, or entity is associated with Al-Qaida, Usama bin Laden or the Taliban include:

(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) supplying, selling or transferring arms and related materiel to;

(c) recruiting for; or

(d) otherwise supporting acts or activities of Al-Qaida, Usama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Usama bin Laden or the Taliban shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1(a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Usama bin Laden, or the Taliban and other individuals, groups, undertakings, or entities associated with them;

5. *Confirms* further that the requirements in paragraph 1(a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Consolidated List;

6. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

7. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1(a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and *directs* the Committee to review the procedures for exemptions as set out in the Committee's guidelines to facilitate their use by Member States and to continue to ensure that humanitarian exemptions are granted expeditiously and transparently;

Listing

8. *Encourages* all Member States to submit to the Committee for inclusion on the Consolidated List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, Usama bin Laden or the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above, and further *encourages* Member States to appoint a national contact point concerning entries on the Consolidated List;

9. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production and trafficking of narcotic drugs originating particularly in Afghanistan, and their precursors;

10. *Reiterates* its call for continued cooperation between the Committee and the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA), including by identifying individuals and entities participating in the financing or support of acts

or activities of Al-Qaida and the Taliban as described in paragraph 30 of resolution 1806 (2008);

11. *Reaffirms* that, when proposing names to the Committee for inclusion on the Consolidated List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008) and provide a detailed statement of case, and *decides further* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 14 below;

12. *Encourages* 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 this resolution, to specify whether the Committee may make known, upon request from a Member State, the Member State's status as a designating State;

13. *Calls upon* Member States, when proposing names to the Committee for inclusion on the Consolidated List to use the new standard form for listing, once it is adopted and placed on the Committee's website, and *requests* that they provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and *directs* the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution;

14. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the Consolidated List, a narrative summary of reasons for listing for the corresponding entry or entries, and *further directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee's website narrative summaries of reasons for listing for entries that were added to the Consolidated List before the date of adoption of resolution 1822 (2008);

15. *Encourages* Member States and relevant international organizations to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

16. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14;

17. *Directs* the Committee to amend its Guidelines to extend the period of time for members of the Committee to verify that names proposed for listing merit inclusion in the Consolidated List and include adequate identifying information to ensure full implementation of the measures, with exceptions, at the Committee chair's discretion, for emergency and time-sensitive listings, and *notes* that listing requests may be placed on the Committee's agenda upon request of a Committee member;

18. *Decides* that 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), in accordance with paragraph 10 of resolution 1735 (2006), and *requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Consolidated List;

19. *Reaffirms* further the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraphs 20 and 21 and annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions;

Delisting/Ombudsperson

20. *Decides* that, when considering delisting requests, the Committee shall be assisted by an Office of the Ombudsperson, to be established for an initial period of 18 months from the date of adoption of this resolution, and *requests* the Secretary-General, in close consultation with the Committee, to appoint 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, to be Ombudsperson, with the mandate outlined in annex II of this resolution, and further *decides* that the Ombudsperson shall perform these tasks in an independent and impartial manner and shall neither seek nor receive instructions from any government;

21. *Decides* that, after the appointment of the Ombudsperson, the Office of the Ombudsperson shall receive requests from individuals and

entities seeking to be removed from the Consolidated List, in accordance with the procedures outlined in annex II of this resolution, and that, after the appointment of the Ombudsperson, the Focal Point mechanism established in resolution 1730 (2006) shall no longer receive such requests, and *notes* that the Focal Point shall continue to receive requests from individuals and entities seeking to be removed from other sanctions lists;

22. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Consolidated List of members and/or associates of Al-Qaida, Usama bin Laden, or the Taliban who no longer meet the criteria established in the relevant resolutions, which shall be placed on the Committee's agenda upon request of a member of the Committee;

23. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities that have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other entities or individuals on the Consolidated List;

24. *Encourages* Member States, when unfreezing the assets of a deceased individual or defunct entity as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

25. *Encourages* the Committee to give due consideration to the opinions of designating State(s), and State(s) of residence, nationality or incorporation when considering delisting requests, and *calls on* Committee members to make every effort to provide their reasons for objecting to such delisting requests;

26. *Requests* the Monitoring Team, upon conclusion of the review pursuant to paragraph 25 of resolution 1822 (2008), to 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, *directs* the Committee to review these listings to decide whether they remain appropriate, and *encourages* the Committee to remove listings of deceased individuals where credible information regarding death is available;

27. *Decides* that 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), and *demand*s that States receiving such notification 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;

Review and maintenance of the Consolidated List

28. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

29. *Welcomes* the significant progress made by the Committee in its review of all names on the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008), *directs* the Committee to complete this review by 30 June 2010, and requests that all States concerned respond to requests from the Committee for information relevant to this review no later than 1 March 2010;

30. *Requests* the Monitoring Team to submit a report to the Committee by 30 July 2010 on the outcome of the review described in paragraph 25 of resolution 1822 (2008) and the efforts made by the Committee, Member States and the Monitoring Team to conduct the review;

31. *Requests* the Monitoring Team, upon conclusion of the review described in paragraph 25 of resolution 1822 (2008), 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, and *directs* the Committee to review these listings to decide whether they remain appropriate;

32. *Further directs* the Committee, upon completion of the review described in paragraph 25 of resolution 1822 (2008), to 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 citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate, and *notes* that the Committee's consideration of a delisting request after the date of adoption of this resolution, pursuant to the procedures set out in annex II of this resolution, should be considered equivalent to a review of that listing;

Measures implementation

33. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

34. *Encourages* the Committee 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, and *directs* the Committee to keep its guidelines under active review in support of these objectives;

35. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 7, 13, 14, 17, 18, 22, 23, 34, and 41;

36. *Encourages* Member States and relevant international organizations to send representatives to meet the Committee for more in-depth discussion of relevant issues and welcomes voluntary briefings from interested Member States on their efforts to implement the measures referred to in paragraph 1 above, including particular challenges that hinder full implementation of the measures;

37. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

38. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and *requests* the Chairman, in periodic reports to the Council pursuant to paragraph 46 below, to provide progress reports on the Committee's work on this issue;

39. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

40. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

41. *Directs* the Committee to amend its guidelines to ensure that no matter is left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis

that extraordinary circumstances require additional time for consideration, and *further directs* any Committee member that has requested more time to consider a proposal to provide updates after three months of their progress in resolving all pending matters;

42. *Directs* the Committee to conduct a comprehensive review of all issues pending before the Committee as of the date of adoption of this resolution, and further *urges* the Committee and its members to resolve all such pending issues, to the extent possible, by 31 December 2010;

Coordination and outreach

43. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, *expresses its intention* to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and *requests* the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible;

44. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with CTED and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

45. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006) and 1822 (2008);

46. *Requests* the Committee 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 CTC and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team

47. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of

the current New York-based Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of 18 months, under the direction of the Committee with the responsibilities outlined in annex 1, and requests the Secretary-General to make the necessary arrangements to this effect;

Reviews

48. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 18 months, or sooner if necessary;

49. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 47 of this resolution, the Monitoring Team shall operate under the direction of the Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 July 2010, in accordance with paragraph 30 above, and the second by 22 February 2011, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution;

(c) To assist the Committee in regularly reviewing names on the Consolidated List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(d) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee, as instructed by the Committee;

(e) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(f) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

- (g) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;
- (h) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;
- (i) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;
- (j) To present to the Committee recommendations, which could be used by member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;
- (k) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 14;
- (l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly-reported information on a deceased individual;
- (m) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;
- (n) To coordinate and cooperate with the national counterterrorism focal point or similar coordinating body in the country of visit, where appropriate;
- (o) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;
- (p) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Consolidated List as updated and accurate as possible;
- (q) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

- (r) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1(a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (s) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;
- (t) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;
- (u) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;
- (v) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- (w) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;
- (x) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);
- (y) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- (z) Any other responsibility identified by the Committee.

ANNEX II

In accordance with paragraph 20 of this resolution, 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 this resolution, 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 United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations 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,
- (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 this resolution; and,
- (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

86. Resolution 1988 (2011)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE
SANCTIONS REGIME UNDER RESOLUTIONS 1267 (1999), AND 1333 (2000)
AND ESTABLISHMENT OF THE “1988 COMMITTEE”)

Adopted by the Security Council at its 6557th meeting, on 17 June 2011

The Security Council,

Recalling its previous resolutions on international terrorism and the threat it poses to Afghanistan, in particular its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009) and the relevant statements of its President,

Recalling its previous resolutions extending through March 22, 2012 the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) as established by resolution 1974 (2011),

Reaffirming that the situation in Afghanistan still constitutes a threat to international peace and security, and expressing its strong concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the importance of a comprehensive political process in Afghanistan to support reconciliation among all Afghans, and recognizing there is no purely military solution that will ensure the stability of Afghanistan,

Recalling the Government of Afghanistan’s strong desire to seek national reconciliation, as set forth in the Bonn Agreement (2001), the London Conference (2010), and the Kabul Conference (2010),

Recognizing that the security situation in Afghanistan has evolved and that some members of the Taliban have reconciled with the Government of Afghanistan, have rejected the terrorist ideology of Al-Qaida and its followers, and support a peaceful resolution to the continuing conflict in Afghanistan,

Recognizing that notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, the situation in Afghanistan remains a threat to international peace and security, and reaffirming the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law, stressing in this regard the important role the United Nations plays in this effort,

Recalling that the conditions for reconciliation, open to all Afghans, laid forth in the 20 July 2010 Kabul Communique, supported by the Government of Afghanistan and the international community, include the renunciation of violence, no links to international terrorist organizations, and respect for the Afghan Constitution, including the rights of women and persons belonging to minorities,

Stressing the importance of all individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of those previously designated as the Taliban, as well as those individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, accepting the Government of Afghanistan's offer of reconciliation,

Taking note of the Government of Afghanistan's request that the Security Council support national reconciliation by removing Afghan names from the UN sanctions lists for those who respect the conditions for reconciliation, and, therefore, have ceased to engage in or support activities that threaten the peace, stability and security of Afghanistan,

Welcoming the results of the Consultative Peace Jirga held on 6 June 2010, in which 1,600 Afghan delegates, representing a broad cross-section of all Afghan ethnic and religious groups, government officials, religious scholars, tribal leaders, civil society, and Afghan refugees residing in Iran and Pakistan, discussed an end to insecurity and developed a plan for lasting peace in the country,

Welcoming the establishment of the High Peace Council and its outreach efforts both within and outside Afghanistan,

Stressing the central and impartial role that the United Nations continues to play in promoting peace, stability and security in Afghanistan, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his Special Representative for Afghanistan and the UNAMA Salaam Support Group to assist the High Peace Council's peace and reconciliation efforts,

Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

Expressing concern at the increase in incidents of kidnapping and hostage-taking with the aim of raising funds, or gaining political concessions, and expressing the need for this issue to be addressed,

Reiterating the need to ensure that the present sanctions regime contributes effectively to ongoing efforts to combat the insurgency and support the Government of Afghanistan's work to advance reconciliation in order to bring about peace, stability, and security in Afghanistan, and considering the 1267 Committee's deliberations on the recommendation of the 1267 Monitoring Team in its Eleventh Report to the 1267 Committee that Member States treat listed Taliban and listed individuals and entities of Al-Qaida and its affiliates differently in promoting peace and stability in Afghanistan,

Reaffirming international support for Afghan-led reconciliation efforts, and expressing its intention to give due regard to lifting sanctions on those who reconcile,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the following measures with respect to individuals and entities designated prior to this date as the Taliban, and other individuals, groups, undertakings and entities associated with them, as specified in section A ("Individuals associated with the Taliban") and section B ("entities and other groups and undertaking associated with the Taliban") of the Consolidated List of the Committee established pursuant to resolution 1267 (1999) and 1333 (2000) as of the date of adoption of this resolution, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established in paragraph 30, (hereafter known as "the List"):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only

that entry or transit is justified, including where this directly relates to supporting efforts by the Government of Afghanistan to promote reconciliation;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance, or training related to military activities;

2. *Decides* that those previously designated as the Taliban, and other individuals groups, undertakings and entities associated with them, whose names were inscribed in section A (“Individuals associated with the Taliban”) and section B (“entities and other groups and undertakings associated with the Taliban”) of the Consolidated List maintained by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities on the date of adoption of this resolution shall no longer be a part of the Consolidated List, but shall henceforth be on the List described in paragraph 1, and decides further that all States shall take the measures set forth in paragraph 1 against these listed individuals, groups, undertakings and entities;

3. *Decides* that the acts or activities indicating that an individual, group, undertaking or entity is eligible for designation under paragraph 1 include:

(a) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or

(d) Otherwise supporting acts or activities of those designated and other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

4. *Affirms* that any undertaking or entity owned or controlled, directly or indirectly by, or otherwise supporting, such an individual, group, undertaking or entity on the List, shall be eligible for designation;

5. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production and trafficking of narcotic drugs and their precursors originating in and transiting through Afghanistan;

6. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not

limited to those used for the provision of Internet hosting or related services, used for the support of the Taliban on this List, and other individuals, groups, undertakings and entities associated with them, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan and other individuals, groups, undertakings or entities associated with them;

7. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the List;

8. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

9. *Decides* that all Member States may make use of the provisions set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006) regarding available exemptions with regard to the measures in paragraph 1 (a), and encourages their use by Member States;

Listing

10. *Encourages* all Member States to submit to the Committee established under paragraph 30 below (“the Committee”) for inclusion on the List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities described in paragraph 3 above;

11. *Decides* that, when proposing names to the Committee for inclusion on the List, Member States shall provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by Interpol to issue a Special Notice;

12. *Decides* that, when proposing names to the Committee for inclusion on the List, Member States shall also provide a detailed statement of case, and that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 13 below;

13. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee’s website, at the same time a name

is added to the List, a narrative summary of reasons for listing for the corresponding entry;

14. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 13;

15. *Requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner;

16. *Calls upon* Member States, when considering the proposal of a new designation, to consult with the Government of Afghanistan on the designation prior to submission to the Committee, where appropriate, and encourages all Member States considering the proposal of a new designation to seek advice from UNAMA, where appropriate;

17. *Decides* that the Committee shall, after publication but within three working days after a name is added to the List, notify the Government of Afghanistan, the Permanent Mission of Afghanistan, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national;

Delisting

18. *Directs* the Committee to remove expeditiously individuals and entities on a case-by-case basis that no longer meet the listing criteria outlined in paragraph 3 above, and requests that the Committee give due regard to requests for removal of individuals who meet the reconciliation conditions agreed to by the Government of Afghanistan and the international community, which include the renunciation of violence, no links to international terrorist organizations, including Al-Qaida, or any cell, affiliate, splinter group, or derivative thereof, and respect for the Afghan Constitution, including the rights of women and persons belonging to minorities;

19. *Calls upon* Member States to coordinate their delisting requests, as appropriate, with the Government of Afghanistan to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts;

20. *Decides* that individuals and entities seeking removal from the List without the sponsorship of a Member State are eligible

to submit such requests to the Focal Point mechanism established in resolution 1730 (2006);

21. *Encourages* UNAMA to support and facilitate cooperation between the Government of Afghanistan and the Committee to ensure that the Committee has sufficient information to consider delisting requests, and directs the Committee established pursuant to paragraph 30 of this resolution to consider delisting requests in accordance with the following principles, where relevant:

(a) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Program, documentation attesting to their reconciliation under the previous program; as well as current address and contact information;

(b) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraph 3 of this resolution should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information;

(c) Delisting requests for reportedly deceased individuals should include an official statement of death from the state of nationality, residence, or other relevant state;

22. *Requests* all Member States, but particularly the Government of Afghanistan, to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for designation under paragraph 1 of this resolution, and further requests that the Government of Afghanistan provide to the Committee an annual report on the status of reportedly reconciled individuals who have been delisted by the Committee in the previous year;

23. *Directs* the Committee to consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 3, including by engaging in acts inconsistent with the reconciliation conditions outlined in paragraph 18 of this resolution, and requests the Government of Afghanistan or other Member States, where appropriate, to submit a request to add that individual's name back on the list;

24. *Decides* that the Secretariat shall, as soon as possible after the Committee has made a decision to remove a name from the List, transmit the decision to the Government of Afghanistan and the Permanent

Mission of Afghanistan for notification, and the Secretariat should also, as soon as possible, notify the Permanent Mission of the State(s) in which the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of nationality, and decides further that States receiving such notification take measures, in accordance with domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

Review and Maintenance of the List

25. *Recognizes* that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, urges the Committee to decide on delisting requests in a timely manner, requests the Committee to review each entry on the list on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, directs the Committee to establish guidelines for such reviews accordingly, and requests the Monitoring Team to circulate to the Committee every six months:

(a) A list of individuals on the List whom the Afghan Government considers to be reconciled along with relevant documentation as outlined in paragraph 21 (a);

(b) A list of individuals and entities on the List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them; and,

(c) A list of individuals on the List who are reportedly deceased and entities that are reported or confirmed to have ceased to exist, along with the documentation requirements outlined in paragraph 21 (c);

26. *Urges* the Committee to ensure that there are fair and clear procedures for the conduct of its work, and directs the Committee to establish guidelines accordingly, as soon as possible, in particular with respect to paragraphs 9, 10, 11, 12, 17, 20, 21, 24, 25, and 27;

27. *Encourages* Member States and relevant international organizations to send representatives to meet with the Committee to share information and discuss any relevant issues, and welcomes periodic briefings from the Government of Afghanistan on the impact of targeted sanctions on deterring threats to the peace, stability and security of Afghanistan, and supporting Afghan-led reconciliation;

Cooperation with Government of Afghanistan

28. *Encourages* continued cooperation amongst the Committee, the Government of Afghanistan, and UNAMA, including by identifying and providing detailed information regarding individuals and entities participating in the financing or support of acts or activities set forth in paragraph 3 of this resolution, and by inviting UNAMA representatives to address the Committee;

29. *Welcomes* the Government of Afghanistan's desire to assist the Committee in the coordination of listing and delisting requests and in the submission of all relevant information to the Committee;

New Sanctions Committee

30. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake the following tasks:

- (a) To consider listing requests, delisting requests and proposed updates to the existing information relevant to the List referred to in paragraph 1;
- (b) To consider listing requests, delisting requests and proposed updates to the existing information relevant to section A ("Individuals associated with the Taliban") and section B ("entities and other groups and undertakings associated with the Taliban") of the Consolidated List that were pending before the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities as of the date of adoption of this resolution;
- (c) To update regularly the List referred to in paragraph 1;
- (d) To make accessible on the Committee's website narrative summaries of reasons for listing for all entries on the List;
- (e) To review the names on the List;
- (f) To make periodic reports to the Council on information submitted to the Committee regarding the implementation of the resolution, including regarding non-compliance with the measures imposed by the resolution;
- (g) To ensure that fair and clear procedures exist for placing individuals and entities on the List and for removing them as well as for granting humanitarian exemptions;
- (h) To examine the reports presented by the Monitoring Team;
- (i) To monitor implementation of the measures imposed in paragraph 1;
- (j) To consider requests for exemptions in accordance with paragraph 1 and 9;

- (k) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;
- (l) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;
- (m) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;
- (n) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;
- (o) To facilitate, through the Monitoring Team and specialized UN agencies, assistance in capacity building for enhancing implementation of the measures, upon request by Member States; and,
- (p) To cooperate with other relevant Security Council Sanctions Committees, in particular the Committee established pursuant to resolution 1267 (1999).

Monitoring Team

31. *Decides*, in order to assist the Committee in fulfilling its mandate, that the 1267 Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), shall also support the Committee for a period of 18 months, with the mandate set forth in Annex A of this resolution, and requests the Secretary-General to make any necessary arrangements to this effect;

Coordination and Outreach

32. *Recognizes* the need to maintain contact with relevant UN Security Council Committees, international organizations and expert groups, including the Committee established pursuant to resolution 1267 (1999), the Counter Terrorism Committee (CTC), the United Nations Office of Drugs and Crime, the Counter-Terrorism Executive Directorate (CTED), and the Committee established pursuant to resolution 1540 (2004), particularly given the continuing presence and negative influence on the Afghan conflict by Al-Qaida, and any cell, affiliate, splinter group or derivative thereof;

33. *Encourages* UNAMA to provide assistance to the High Peace Council, at its request, to encourage listed individuals to reconcile;

Reviews

34. *Decides* to review the implementation of the measures outlined in this resolution in eighteen months and make adjustments, as necessary, to support peace and stability in Afghanistan;

35. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 31 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 31 March 2012, and the second by 31 October 2012, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Committee in regularly reviewing names on the List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(c) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(d) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel;

(e) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(f) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the List;

(g) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 13;

- (h) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly-reported information on a deceased individual;
- (i) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;
- (j) To encourage Member States to submit names and additional identifying information for inclusion on the List, as instructed by the Committee;
- (k) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the List as updated and accurate as possible;
- (l) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (m) To consult with Member States and other relevant organizations and bodies, including UNAMA, and engage in regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;
- (n) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;
- (o) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;
- (p) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- (q) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;
- (r) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);
- (s) To assist the Committee in facilitating assistance in capacity building for enhancing implementation of the measures, upon request by Member States;
- (t) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on

the work of the Monitoring Team, including its visits to Member States and its activities;

- (u) To submit to the Committee within 90 days a written report and recommendations on linkages between those individuals, groups, undertakings, and entities eligible for designation under paragraph 1 of this resolution and Al-Qaida, with a particular focus on entries that appear on both the Al-Qaida Sanctions List and the List referred to in paragraph 1 of this resolution, and thereafter submit such a report and recommendations periodically; and,
- (v) Any other responsibility identified by the Committee.

87. Resolution 1989 (2011)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE SANCTIONS REGIME UNDER RESOLUTIONS 1267 (1999), 1333 (2000), AND 1390 (2002), AND EXTENSION OF THE MANDATE OF THE OFFICE OF THE OMBUDSPERSON)

Adopted by the Security Council at its 6557th meeting, on 17 June 2011

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009) and 1988 (2011), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recalling the Presidential Statement of the Security Council (S/PRST/2011/9) of 2 May 2011 which notes that Usama bin Laden will no longer be able to perpetrate acts of terrorism,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by terrorist groups with the aim of raising funds, or gaining political concessions, and expressing the need for this issue to be addressed,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and

collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Urging all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (“the Consolidated List”) by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

Reminding the Committee established pursuant to resolution 1267 (1999) (“the Committee”) to remove expeditiously and on a case-by-case basis individuals and entities that no longer meet the criteria for listing outlined in this resolution,

Recognizing the challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution, welcoming improvements to the Committee’s procedures and the quality of the Consolidated List, and expressing its intent to continue efforts to ensure that procedures are fair and clear,

Welcoming in particular the successful completion of the review of all names on the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008) and the significant progress made to enhance the integrity of the Consolidated List,

Welcoming the establishment of the Office of the Ombudsperson pursuant to resolution 1904 (2009) and the role it has performed since its establishment, noting the Ombudsperson’s important role in improving fairness and transparency, recalling the Security Council’s firm commitment to ensuring that the Office of the Ombudsperson is able to continue to carry out its role effectively, in accordance with its mandate, and recalling also the Presidential Statement of the Security Council (S/PRST/2011/5) of 28 February 2011,

Reiterating that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

Welcoming the second review in September 2010 by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure

overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity building, and all other UN bodies, and encouraging further engagement with the CTITF to ensure overall coordination and coherence in the counter-terrorism efforts of the UN system,

Recognizing the need to take measures to prevent and suppress the financing of terrorism and terrorist organizations, including from the proceeds of organized crime, *inter alia*, the illicit production and trafficking of drugs and their chemical precursors, and the importance of continued international cooperation to that aim,

Noting with concern the continued threat posed to international peace and security by Al-Qaida and other individuals, groups, undertakings and entities associated with it, reaffirming its resolve to address all aspects of that threat, and considering the 1267 Committee's deliberations on the recommendation of the 1267 Monitoring Team in its Eleventh Report to the 1267 Committee that Member States treat listed Taliban and listed individuals and entities of Al-Qaida and its affiliates differently,

Noting that, in some instances, certain individuals, groups, undertakings and entities that meet the criteria for listing set forth in paragraph 3 of resolution 1988 (2011) may also meet the criteria for listing set forth in paragraph 4 of this resolution,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with them, including those referred to in section C ("Individuals associated with Al-Qaida") and section D ("Entities and other groups and undertakings associated with Al-Qaida") of the Consolidated List established pursuant to resolutions 1267 (1999) and 1333 (2000), as well as those designated after the date of adoption of this resolution, which shall henceforth be known as the Al-Qaida Sanctions List):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any

other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

2. *Notes* that, pursuant to resolution 1988 (2011), the Taliban, and other individuals, groups, undertakings and entities associated with them, as previously included in section A ("Individuals associated with the Taliban) and section B ("Entities and other groups and undertaking associated with the Taliban") of the Consolidated List established pursuant to resolutions 1267 (1999) and 1333 (2000) are not governed by this resolution and decides that henceforth the Al-Qaida Sanctions List shall include only the names of those individuals, groups, undertakings and entities associated with Al-Qaida;

3. *Directs* the Committee to transmit to the Committee established pursuant to resolution 1988 (2011) all listing submissions, delisting requests and proposed updates to the existing information relevant to section A ("Individuals associated with the Taliban") and section B ("entities and other groups and undertakings associated with the Taliban") of the Consolidated List that were pending before the Committee as of the date of adoption of this resolution, so that the Committee established pursuant to resolution 1988 (2011) can consider those matters in accordance with resolution 1988 (2011);

4. *Reaffirms* that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida include:

(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) supplying, selling or transferring arms and related materiel to;

(c) recruiting for; or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof;

5. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida shall be eligible for designation;

6. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida and other individuals, groups, undertakings or entities associated with it;

7. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors;

8. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List;

9. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

10. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and directs the Committee to review the procedures for exemptions as set out in the Committee's guidelines to facilitate their use by Member States and to continue to ensure that exemptions are granted expeditiously and transparently;

11. *Directs* the Committee to cooperate with other relevant Security Council Sanctions Committees, in particular that established pursuant to resolution 1988 (2011);

Listing

12. *Encourages* all Member States to submit to the Committee for inclusion on the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, and other individuals, groups, undertakings and entities associated with it, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 4 above;

13. *Reaffirms* that, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008), and provide a detailed statement of case, and decides further that the statement of case shall be releasable,

upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 16 below;

14. *Decides* that Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of this resolution, shall specify whether the Committee, or the Ombudsperson, or the Secretariat or Monitoring Team on the Committee's behalf, may make known the Member State's status as a designating State; and strongly encourages designating States to respond positively to such a request;

15. *Decides* that Member States, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List shall use the standard form for listing, and provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by Interpol to issue a Special Notice, and directs the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution; and further directs the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information;

16. *Welcomes* efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee's website narrative summaries of reasons for all listings;

17. *Encourages* Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

18. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 16;

19. *Reaffirms* that the Secretariat shall, after publication but within 3 working days after a name is added to the Al-Qaida Sanctions 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), in accordance with paragraph 10 of resolution 1735 (2006), requests the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Al-Qaida Sanctions List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner;

20. *Reaffirms* further the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 21 and Annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions;

Delisting/Ombudsperson

21. *Decides* to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in Annex II of this resolution, for a period of 18 months from the date of adoption of this resolution, decides that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any government, and decides that the Ombudsperson shall present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting;

22. *Decides* that the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the Comprehensive Report of the Ombudsperson on a delisting request pursuant to annex II;

23. *Decides* that the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II of this resolution, including

paragraph 6 (h) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60 day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

24. *Requests* the Secretary General to strengthen the capacity of the Office of the Ombudsperson to ensure its continued ability to carry out its mandate in an effective and timely manner;

25. *Strongly urges* Member States to provide all relevant information to the Ombudsperson, including providing any relevant confidential information, where appropriate, and confirms that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it;

26. *Requests* that Member States and relevant international organizations and bodies encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson;

27. *Decides* that when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity after 60 days unless the Committee decides by consensus before the end of that 60 day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

28. *Decides* that, for purposes of submitting a delisting request in paragraph 27, consensus must exist between or among all designating States in cases where there are multiple designating States; and decides

further that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 27;

29. *Strongly urges* designating States to allow the Ombudsperson to reveal their identities as designating States, to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson;

30. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in paragraph 4 of the present resolution, which shall be placed on the Committee's agenda upon request of a member of the Committee, and encourages Member States to provide reasons for submitting their delisting requests;

31. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other individuals, groups, undertakings and entities on the Al-Qaida Sanctions List;

32. *Encourages* Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

33. *Calls upon* the Committee when considering delisting requests to give due consideration to the opinions of designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, directs Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and calls upon the Committee to share its reasons with relevant Member States and national and regional courts and bodies, where appropriate;

34. *Encourages* all Member States, including designating States and States of residence and nationality, to provide all information to the Committee relevant to the Committee's review of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further encourages the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions;

35. *Confirms* that the Secretariat shall, within 3 days after a name is removed from the Al-Qaida Sanctions List, notify the Permanent Mission of the State(s) of residence, nationality, location or incorporation (to

the extent this information is known), and decides that States receiving such notification shall 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;

Review and maintenance of the Al-Qaida Sanctions List

36. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

37. *Requests* the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate;

38. *Reaffirms* that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions 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, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove listings of deceased individuals, where credible information regarding death is available;

39. *Reaffirms* that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove such listings where credible information is available;

40. *Further directs* the Committee, in light of the completion of the review described in paragraph 25 of resolution 1822 (2008), to conduct an annual review of all names on the Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”), in which the relevant names are circulated to the designating States and States of residence, nationality, location or incorporation, where known, pursuant to the procedures set forth in the Committee guidelines, to

ensure the Al-Qaida Sanctions List is as updated and accurate as possible through identifying listings that no longer remain appropriate and confirming listings that remain appropriate, and notes that the Committee's consideration of a delisting request after the date of adoption of this resolution, pursuant to the procedures set out in Annex II of this resolution, should be considered equivalent to a review conducted pursuant to paragraph 26 of resolution 1822 (2008);

Measures implementation

41. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above; and recalling paragraph 7 of resolution 1617 (2005), strongly urges all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force's (FATF) Forty Recommendations on Money Laundering and the FATF Nine Special Recommendations on Terrorist Financing, and encourages Member States to utilize the guidance provided by Special Recommendation III for effective implementation of targeted counter-terrorism sanctions;

42. *Directs* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Al-Qaida List and for removing them as well as for granting exemptions per resolution 1452 (2002), and directs the Committee to keep its guidelines under active review in support of these objectives;

43. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 10, 12, 14, 15, 17, 21, 23, 27, 28, 30, 33, 37, and 40;

44. *Encourages* Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues;

45. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

46. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and requests the Chair, in periodic reports to the Council pursuant to paragraph 55 below, to provide progress reports on the Committee's work on this issue;

47. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and

practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

48. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

49. *Confirms* that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines;

50. *Encourages* designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed an individual's case and whether any judicial proceedings have begun, and to include any other relevant information when it submits its standard form for listing;

51. *Requests* the Committee to facilitate, through the Monitoring Team or specialized UN agencies, assistance on capacity building for enhancing implementation of the measures, upon request by Member States;

Coordination and outreach

52. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requests the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible;

53. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with CTED and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

54. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the

measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008) and 1904 (2009);

55. *Requests* the Committee to report orally, through its Chair, 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 Chairs of CTC and the Committee established pursuant to resolution 1540 (2004), and further requests the Chair to hold periodic briefings for all interested Member States;

Monitoring Team

56. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of 18 months, under the direction of the Committee with the responsibilities outlined in annex I, and requests the Secretary-General to make the necessary arrangements to this effect;

57. *Directs* the Monitoring Team to review the Committee's procedures for granting exemptions pursuant to resolution 1452 (2002), and to provide recommendations for how the Committee can improve the process for granting such exemptions;

58. *Directs* the Monitoring Team to keep the Committee informed of instances of non-compliance with the measures imposed in this resolution, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

Reviews

59. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in 18 months, or sooner if necessary;

60. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 56 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 31 March 2012, and the second by 31 October 2012, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific

recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Ombudsperson in carrying out his or her mandate as specified in Annex II of this resolution;

(c) To assist the Committee in regularly reviewing names on the Al-Qaida Sanctions List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(d) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee, as instructed by the Committee;

(e) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(f) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(g) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(h) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(i) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(j) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Al-Qaida Sanctions List;

(k) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee

information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 16;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly-reported information on a deceased individual;

(m) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

(n) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the country of visit, where appropriate;

(o) To encourage Member States to submit names and additional identifying information for inclusion on the Al-Qaida Sanctions List, as instructed by the Committee;

(p) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Al-Qaida Sanctions List as updated and accurate as possible;

(q) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(r) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, and other individuals, groups, undertakings and entities associated with it; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(s) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;

(t) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(u) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(v) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

- (w) To assist the Committee in facilitating assistance on capacity building for enhancing implementation of the measures, upon request by Member States;
- (x) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;
- (y) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);
- (z) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- (aa) To submit to the Committee within 90 days a written report and recommendations on linkages between Al-Qaida and those individuals, groups, undertakings or entities eligible for designation under paragraph 1 of resolution 1988 (2011), with a particular focus on entries that appear on both the Al-Qaida Sanctions List and the 1988 List, and thereafter submit such a report and recommendations periodically; and
- (bb) Any other responsibility identified by the Committee.

ANNEX II

In accordance with paragraph 21 of this resolution, 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 Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity (“the petitioner”).

The Council recalls that Member States are not permitted to submit delisting petitions on behalf of an individual, group, undertaking or entity to the Office of the Ombudsperson.

Information gathering (four 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;
 - (d) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 4

of this resolution, and return it to the petitioner for his or her consideration; and,

(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 four 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 four 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

(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 four-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. The Ombudsperson may shorten this time period if he or she assesses less time is required.

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) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, or any cell, affiliate, splinter group, or derivative thereof, and undertakes not to associate with Al-Qaida in the future;

(c) Should meet with the petitioner, to the extent possible;

(d) 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;

(e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;

(f) During the information gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;

(g) In the course of the information gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a state on a confidential basis, without the express written consent of that state; and,

(h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating states, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original designation.

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 recommendation, lay out for the Committee the principal arguments concerning the delisting request.

Committee discussion

8. After the Committee has had 15 days to review the Comprehensive Report in all official languages of the United Nations, 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. Committee consideration of the Comprehensive Report shall be completed no later than 30 days from the date the Comprehensive Report is submitted to the Committee for its review.

11. In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures.

12. In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with this annex II, including paragraph 6 (h), unless the Committee decides by consensus before the end of that 60 day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for

that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council.

13. If the Committee decides to reject the delisting request, then the Committee shall convey to the Ombudsperson its decision, setting out its reasons, and including any further relevant information about the Committee's decision, and an updated narrative summary of reasons for listing.

14. 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 13 above.

15. 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

16. 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;
- (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 19 of this resolution; and
- (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

88. Resolution 2082 (2012)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE
SANCTIONS REGIME UNDER RESOLUTION 1988 (2011))

*Adopted by the Security Council at its 6890th meeting,
on 17 December 2012*

The Security Council,

Recalling its previous resolutions on international terrorism and the threat it poses to Afghanistan, in particular its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), and the relevant statements of its President,

Recalling its previous resolutions extending through 23 March 2013 the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) as established by resolution 2041 (2012),

Recalling its resolutions on the recruitment and use of children and armed conflict,

Expressing its strong concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the importance of a comprehensive political process in Afghanistan to support reconciliation among all Afghans,

Recognizing that the security situation in Afghanistan has evolved and that some members of the Taliban have reconciled with the Government of Afghanistan, have rejected the terrorist ideology of Al-Qaida and its followers, and support a peaceful resolution to the continuing conflict in Afghanistan,

Recognizing that notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, the situation in Afghanistan remains a threat to international peace and security, and reaffirming the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable

human rights, refugee and humanitarian law, stressing in this regard the important role the United Nations plays in this effort,

Reiterating its firm commitment to support the Government of Afghanistan in its efforts to advance the peace and reconciliation process, in line with the Kabul Communiqué and the Bonn Conference Conclusions, and within the framework of the Afghan Constitution and application of the procedures introduced by the Security Council in its resolution 1988 (2011) as well as other relevant resolutions of the Council,

Welcoming the decision taken by some members of the Taliban to reconcile with the Government of Afghanistan, to reject the terrorist ideology of Al-Qaida and its followers, and to support a peaceful resolution to the continuing conflict in Afghanistan, and urging all those individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, to accept the Government of Afghanistan's offer of reconciliation,

Reiterating the need to ensure that the present sanctions regime contributes effectively to ongoing efforts to combat the insurgency and support the Government of Afghanistan's work to advance reconciliation in order to bring about peace, stability, and security in Afghanistan,

Taking note of the Government of Afghanistan's request that the Security Council support national reconciliation, including by removing names from the United Nations sanctions lists for those who reconcile, and, therefore, have ceased to engage in or support activities that threaten the peace, stability and security of Afghanistan,

Expressing its intention to give due regard to lifting sanctions on those who reconcile,

Welcoming the appointment of the new chairman of the High Peace Council in April 2012 as an important step in the Afghan-led and Afghan-owned peace and reconciliation process,

Stressing the central and impartial role that the United Nations continues to play in promoting peace, stability and security in Afghanistan, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General and his Special Representative for Afghanistan to assist the High Peace Council's peace and reconciliation efforts,

Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

Condemning the incidence of kidnapping and hostage-taking with the aim of raising funds, or gaining political concessions, and expressing the need for this issue to be addressed,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the following measures with respect to individuals and entities designated prior to the date of adoption of resolution 1988 (2011) as the Taliban, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established in paragraph 30 of resolution 1988 (“the Committee”) (hereafter known as “the List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons’ benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified, including where this directly relates to supporting efforts by the Government of Afghanistan to promote reconciliation;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance, or training related to military activities;

2. *Decides* that the acts or activities indicating that an individual, group, undertaking or entity is eligible for designation under paragraph 1 include:

(a) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or

(d) Otherwise supporting acts or activities of those designated and other individuals, groups, undertakings and entities associated

with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

3. *Affirms* that any undertaking or entity owned or controlled, directly or indirectly by, or otherwise supporting, such an individual, group, undertaking or entity on the List, shall be eligible for designation;

4. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation, production and trafficking of narcotic drugs and their precursors originating in and transiting through Afghanistan;

5. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of those on this List, as well as other individuals, groups, undertakings or entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

6. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the List;

7. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

Exemptions

8. *Recalls* its decision that all Member States may make use of the provisions set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006) regarding available exemptions with regard to the measures in paragraph 1 (a), and encourages their use by Member States;

9. *Underlines* the importance of a comprehensive political process in Afghanistan to support peace and reconciliation among all Afghans, invites the Government of Afghanistan, in close coordination with the High Peace Council, to submit for the Committee's consideration the names of listed individuals for whom it confirms travel to such specified location or locations is necessary to participate in meetings in support of peace and reconciliation, and requires such submissions to include, to the extent possible, the following information:

(a) The passport number or travel document number of the listed individual;

(b) The specific location or locations to which each listed individual is expected to travel and their anticipated transit points, if any;

(c) The period of time, not to exceed nine months, during which listed individuals are expected to travel;

10. *Decides* that the travel ban imposed by paragraph 1 (b) shall not apply to individuals identified pursuant to paragraph 9 above, where the Committee determines, on a case-by-case basis only, that such entry or transit is justified, further decides that any such exemption approved by the Committee shall only be granted for the requested period for any travel to the specified location or locations, directs the Committee to decide on all such exemption requests, as well as on requests to amend or renew previously granted exemptions, or on a request by any Member State to revoke previously granted exemptions, within ten days of receiving them; and affirms that, notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of this resolution;

11. *Requests* the Government of Afghanistan, through the Monitoring Team, to provide to the Committee, for its consideration and review, a report on each individual's travel under a granted exemption, promptly upon the exemption's expiration, and encourages relevant Member States to provide information to the Committee, as appropriate, on any instances of non-compliance;

Listing

12. *Encourages* all Member States, in particular the Government of Afghanistan, to submit to the Committee for inclusion on the List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities described in paragraph 2 above;

13. *Recalls* its decision that, when proposing names to the Committee for inclusion on the List, Member States shall provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice; and directs the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information, as well as steps to ensure that INTERPOL-UN Special Notices exist for all listed individuals, groups, undertakings, and entities;

14. *Recalls* its decision that, when proposing names to the Committee for inclusion on the List, Member States shall also provide a detailed statement of case, and that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being

confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 15 below;

15. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the List, a narrative summary of reasons for listing for the corresponding entry;

16. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any appropriate information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 15;

17. *Requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner;

18. *Strongly urges* Member States, when considering the proposal of a new designation, to consult with the Government of Afghanistan on the designation prior to submission to the Committee, to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts, and encourages all Member States considering the proposal of a new designation to seek advice from UNAMA, where appropriate;

19. *Decides* that the Committee shall, after publication but within three working days after a name is added to the List, notify the Government of Afghanistan, the Permanent Mission of Afghanistan, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national;

Delisting

20. *Directs* the Committee to remove expeditiously individuals and entities on a case-by-case basis that no longer meet the listing criteria outlined in paragraph 2 above, and requests that the Committee give due regard to requests for removal of individuals who have reconciled, in accordance with the 20 July 2010 Kabul Conference Communiqué on dialogue for all those who renounce violence, have no links to international terrorist organizations, including Al-Qaida, respect the constitution, including its human rights provisions, notably the rights of women, and are willing to join in building a peaceful Afghanistan, and as further elaborated in the principles and outcomes of the 5 December

2011 Bonn Conference Conclusions supported by the Government of Afghanistan and the international community;

21. *Strongly urges* Member States to consult with the Government of Afghanistan on their delisting requests prior to submission to the Committee, to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts;

22. *Recalls* its decision that individuals and entities seeking removal from the List without the sponsorship of a Member State are eligible to submit such requests to the Focal Point mechanism established in resolution 1730 (2006);

23. *Encourages* UNAMA to support and facilitate cooperation between the Government of Afghanistan and the Committee to ensure that the Committee has sufficient information to consider delisting requests, and directs the Committee to consider delisting requests in accordance with the following principles, where relevant:

(a) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Programme, documentation attesting to their reconciliation under the previous programme; as well as current address and contact information;

(b) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraph 2 of this resolution should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information;

(c) Delisting requests for reportedly deceased individuals should include an official statement of death from the State of nationality, residence, or other relevant State;

24. *Urges* the Committee, where appropriate, to invite a representative of the Government of Afghanistan to appear before the Committee to discuss the merits of listing or delisting certain individuals, groups, undertakings, and entities, including when a request by the Government of Afghanistan has been put on hold or rejected by the Committee;

25. *Requests* all Member States, but particularly the Government of Afghanistan, to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for designation under paragraph 1 of this resolution, and further requests that the Government of Afghanistan provide to the Committee an annual report on the status of

reportedly reconciled individuals who have been delisted by the Committee in the previous year;

26. *Directs* the Committee to consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 2, including by engaging in acts inconsistent with paragraph 20 of this resolution, and requests the Government of Afghanistan or other Member States, where appropriate, to submit a request to add that individual's name back on the list;

27. *Confirms* that the Secretariat shall, as soon as possible after the Committee has made a decision to remove a name from the List, transmit the decision to the Government of Afghanistan and the Permanent Mission of Afghanistan for notification, and the Secretariat should also, as soon as possible, notify the Permanent Mission of the State(s) in which the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of nationality, and recalls its decision that States receiving such notification take measures, in accordance with domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

Review and maintenance of the List

28. *Recognizes* that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, urges the Committee to decide on listing and delisting requests in a timely manner, requests the Committee to review each entry on the list on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, directs the Committee to review and amend its guidelines for such reviews, as appropriate, and requests the Monitoring Team to circulate to the Committee every twelve months:

- (a) A list of individuals on the List whom the Afghan Government considers to be reconciled along with relevant documentation as outlined in paragraph 23 (a);
- (b) A list of individuals and entities on the List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them; and,
- (c) A list of individuals on the List who are reportedly deceased and entities that are reported or confirmed to have ceased to exist, along with the documentation requirements outlined in paragraph 23 (c);

29. *Decides* that, with the exception of decisions made pursuant to paragraph 10 of this resolution, no matter shall be left pending before the Committee for a period longer than six months, urges Committee members to respond within three months, and directs the Committee to update its guidelines as appropriate;

30. *Urges* the Committee to ensure that there are fair and clear procedures for the conduct of its work, and directs the Committee to review its guidelines as soon as possible, in particular with respect to paragraphs 8, 9, 10, 11, 13, 14, 17, 24, 28, 29 and 32;

31. *Encourages* Member States and relevant international organizations to send representatives to meet with the Committee to share information and discuss any relevant issues; and

Cooperation with the Government of Afghanistan

32. *Welcomes* periodic briefings from the Government of Afghanistan on the content of the list, as well as on the impact of targeted sanctions on deterring threats to the peace, stability and security of Afghanistan, and supporting Afghan-led reconciliation;

33. *Encourages* continued cooperation amongst the Committee, the Government of Afghanistan, and UNAMA, including by identifying and providing detailed information regarding individuals and entities participating in the financing or support of acts or activities set forth in paragraph 2 of this resolution, and by inviting UNAMA representatives to address the Committee;

34. *Welcomes* the Government of Afghanistan's desire to assist the Committee in the coordination of listing and delisting requests and in the submission of all relevant information to the Committee;

Monitoring Team

35. *Decides*, in order to assist the Committee in fulfilling its mandate, that the 1267 Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), shall also support the Committee for a period of thirty months, with the mandate set forth in the annex of this resolution, and requests the Secretary-General to make any necessary arrangements to this effect;

36. *Directs* the Monitoring Team to gather information on instances of non-compliance with the measures imposed in this resolution and to keep the Committee informed of such instances, as well as to facilitate, upon request by Member States, assistance on capacity-building, encourages Committee members to address issues of non-compliance and bring them to the attention of the Monitoring Team or Committee, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

Coordination and Outreach

37. *Recognizes* the need to maintain contact with relevant United Nations Security Council Committees, international organizations and expert groups, including the Committee established pursuant to resolution 1267 (1999), the Counter-Terrorism Committee (CTC), the United Nations Office of Drugs and Crime, the Counter-Terrorism Committee Executive Directorate (CTED), and the Committee established pursuant to resolution 1540 (2004), particularly given the continuing presence and negative influence on the Afghan conflict by Al-Qaida, and any cell, affiliate, splinter group or derivative thereof;

38. *Encourages* UNAMA to provide assistance to the High Peace Council, at its request, to encourage listed individuals to reconcile;

Reviews

39. *Decides* to review the implementation of the measures outlined in this resolution in eighteen months and make adjustments, as necessary, to support peace and stability in Afghanistan;

40. *Decides* to remain actively seized of the matter.

ANNEX

In accordance with paragraph 35 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 September 2013, and the second by 30 April 2014, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Committee in regularly reviewing names on the List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(c) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(d) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel;

(e) To gather information on behalf of the Committee on instances of reported non-compliance with the measures referred to in para-

- graph 1 of this resolution, including by collating information collected from Member States and engaging with suspected non-compliant parties, and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;
- (f) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the List;
- (g) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 15;
- (h) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual;
- (i) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;
- (j) To encourage Member States to submit names and additional identifying information for inclusion on the List, as instructed by the Committee;
- (k) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the List as updated and accurate as possible;
- (l) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (m) To consult with Member States and other relevant organizations and bodies, including UNAMA, and engage in regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;
- (n) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;
- (o) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;
- (p) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

- (q) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;
- (r) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);
- (s) To assist the Committee in facilitating assistance in capacity-building for enhancing implementation of the measures, upon request by Member States;
- (t) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- (u) To report periodically, as appropriate, to the Committee on linkages between Al-Qaida and those individuals, groups, undertakings and entities eligible for designation under paragraph 1 of this resolution or any other relevant sanctions resolutions;
- (v) To gather information, including from the Government of Afghanistan and relevant Member States, on travel that takes place under a granted exemption, pursuant to paragraphs 9 and 10, and to report to the Committee, as appropriate; and
- (w) Any other responsibility identified by the Committee.

89. Resolution 2083 (2012)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE SANCTIONS REGIME RESOLUTIONS 1333 (2000), 1390 (2002), AND 1989 (2011), AND EXTENSION OF THE MANDATE OF THE OFFICE OF THE OMBUDSPERSON)

*Adopted by the Security Council at its 6890th meeting,
on 17 December 2012*

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), and 1989 (2011), and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recalling the Presidential Statement of the Security Council (S/PRST/2012/17) of 4 May 2012 on threats to international peace and security caused by terrorist acts,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Expressing concern at the increase in incidents of kidnapping and hostage-taking by terrorist groups with the aim of raising funds, or gaining political concessions, and reiterating the continued need for this issue to be addressed,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Urging all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999), 1333 (2000) and 1989 (2011) (“the Al-Qaida Sanctions List”) by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

Reminding the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) (“the Committee”) to remove expeditiously and on a case-by-case basis individuals and entities that no longer meet the criteria for listing outlined in this resolution,

Recognizing the challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution, welcoming improvements to the Committee’s procedures and the quality of the Al-Qaida Sanctions List, and expressing its intent to continue efforts to ensure that procedures are fair and clear,

Welcoming the establishment of the Office of the Ombudsperson pursuant to resolution 1904 (2009) and the enhancement of the Ombudsperson’s mandate in resolution 1989 (2011), noting the Office of the Ombudsperson’s significant contribution in providing additional fairness and transparency, recalling the Security Council’s firm commitment to ensuring that the Office of the Ombudsperson is able to continue to carry out its role effectively, in accordance with its mandate, and recalling also the Presidential Statement of the Security Council (S/PRST/2011/5) of 28 February 2011,

Welcoming the Ombudsperson’s biannual reports to the Security Council, including the reports submitted on 21 January 2011, 22 July 2011, 20 January 2012 and 30 July 2012,

Reiterating that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

Welcoming the third review in June 2012 by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288)

of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, and all other United Nations bodies, and encouraging further engagement with the CTITF to ensure overall coordination and coherence in the counter-terrorism efforts of the UN system,

Recognizing the need to take measures to prevent and suppress the financing of terrorism and terrorist organizations, including from the proceeds of organized crime, *inter alia*, the illicit production and trafficking of drugs and their chemical precursors, and the importance of continued international cooperation to that aim,

Noting with concern the continued threat posed to international peace and security by Al-Qaida and other individuals, groups, undertakings and entities associated with it, reaffirming its resolve to address all aspects of that threat,

Noting that, in some instances, certain individuals, groups, undertakings and entities that meet the criteria for listing set forth in paragraph 3 of resolution 1988 (2011) or other relevant sanctions resolutions may also meet the criteria for listing set forth in paragraph 4 of this resolution,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), and paragraphs 1 and 4 of resolution 1989 (2011), with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with them:

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial

process or the Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida include:

(a) Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof;

3. *Confirms* that any individual, group, undertaking or entity either owned or controlled, directly or indirectly, by, or otherwise supporting, any individual, group, undertaking or entity associated with Al-Qaida, including on the Al-Qaida Sanctions List, shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida and other individuals, groups, undertakings or entities associated with it;

5. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors;

6. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List;

7. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

8. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and authorizes the Focal Point mechanism established in resolution 1730 (2006) to receive exemption requests submitted

by, or on behalf of, an individual, group, undertaking or entity on the Al-Qaida Sanctions List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 37 below;

9. *Directs* the Committee to cooperate with other relevant Security Council Sanctions Committees, in particular that established pursuant to resolution 1988 (2011);

Listing

10. *Encourages* all Member States to submit to the Committee for inclusion on the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above;

11. *Reaffirms* that, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008), and provide a statement of case, which should include detailed reasons on the proposed basis for the listing, and decides further that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 14 below;

12. *Decides* that Member States proposing a new designation, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of this resolution, shall specify if the Committee or the Ombudsperson may not make known the Member State's status as a designating State;

13. *Recalls* its decision that Member States, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List shall use the standard form for listing, and provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and directs the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution; and further directs the Monitoring Team to report to the Committee on further steps that could be taken to improve identifying information, as well as steps to ensure that INTERPOL-UN Special Notices exist for all listed individuals, groups, undertakings, and entities;

14. *Welcomes* efforts by the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing for the corresponding entry, and directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee's website narrative summaries of reasons for all listings;

15. *Encourages* Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

16. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14;

17. *Reaffirms* that the Secretariat shall, after publication but within three working days after a name is added to the Al-Qaida Sanctions 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), in accordance with paragraph 10 of resolution 1735 (2006), requests the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Al-Qaida Sanctions List, and highlights the importance of making the narrative summary of reasons for listing available in all official languages of the United Nations in a timely manner;

18. *Reaffirms* further the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 21 of resolution 1989 (2011) and annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions;

Delisting/Ombudsperson

19. *Decides* to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II of this resolution, for a period of thirty months from the date of adoption of this resolution, decides that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any government, and decides that the Ombudsperson shall present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting;

20. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the Comprehensive Report of the Ombudsperson on a delisting request pursuant to annex II;

21. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity sixty days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II of this resolution, including paragraph 6 (*h*) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that sixty-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of sixty days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

22. *Requests* the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson by providing necessary resources, including for translation services, as appropriate, to ensure its continued ability to carry out its mandate in an effective and timely manner;

23. *Strongly urges* Member States to provide all relevant information to the Ombudsperson, including any relevant confidential information, where appropriate, encourages Member States to provide relevant information in a timely manner, welcomes those national arrangements entered into by Member States with the Office of the Ombudsperson to facilitate the sharing of confidential information, encourages Member States' further cooperation in this regard, and confirms that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it;

24. *Requests* that Member States and relevant international organizations and bodies encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson;

25. *Notes* the Financial Action Task Force (FATF) international standards and, *inter alia*, best practices relating to targeted financial sanctions, as referenced in paragraph 44 of this resolution;

26. *Recalls* its decision that when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity after sixty days unless the Committee decides by consensus before the end of that sixty-day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of sixty days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

27. *Recalls* its decision that, for purposes of submitting a delisting request in paragraph 26, consensus must exist between or among all designating States in cases where there are multiple designating States; and further recalls its decision that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 26;

28. *Strongly urges* designating States to allow the Ombudsperson to reveal their identities as designating States, to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson;

29. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Al-Qaida Sanctions List of individuals, groups,

undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in paragraph 2 of the present resolution, which shall be placed on the Committee's agenda upon request of a member of the Committee, and strongly urges Member States to provide reasons for submitting their delisting requests;

30. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other individuals, groups, undertakings and entities on the Al-Qaida Sanctions List;

31. *Encourages* Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

32. *Decides* that, prior to the unfreezing of any assets that have been frozen as a result of the listing of Usama bin Laden, Member States shall submit to the Committee a request to unfreeze such assets and shall provide assurances to the Committee that the assets will not be transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Security Council resolution 1373 (2001), and decides further that such assets may only be unfrozen in the absence of an objection by a Committee member within thirty days of receiving the request, and stresses the exceptional nature of this provision, which shall not be considered as establishing a precedent;

33. *Calls upon* the Committee when considering delisting requests to give due consideration to the opinions of designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, directs Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and calls upon the Committee to share its reasons with relevant Member States and national and regional courts and bodies, where appropriate;

34. *Encourages* all Member States, including designating States and States of residence and nationality, to provide all information to the Committee relevant to the Committee's review of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further encourages the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions;

35. *Confirms* that the Secretariat shall, within 3 days after a name is removed from the Al-Qaida Sanctions List, notify the Permanent Mission of the State(s) of residence, nationality, location or incorporation (to the extent this information is known), and decides that States receiving such notification shall 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;

Exemptions

36. *Decides* that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the petitioner, that the Committee consider granting an exemption to the restriction on travel in paragraph 1 (b) of this resolution for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further directs the Committee to notify the Ombudsperson of the Committee's decision;

37. *Decides* that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 1 (a) of this resolution, as defined in resolution 1452 (2002) provided that the request has first been submitted for the consideration of the State of residence, and decides further that the Focal Point shall transmit such requests to the Committee for a decision, directs the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and further directs the Committee, through the Focal Point, to notify such individuals, groups, undertaking or entities of the Committee's decision;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 1 (b) of this resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, directs the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and decides further that the Committee shall only agree to exemptions to the measures in paragraph 1 (b) of this resolution with the agreement of the States of transit and destination, and further directs the Committee, through the Focal Point, to notify such individuals of the Committee's decision;

Review and maintenance of the Al-Qaida Sanctions List

38. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

39. *Requests* the Monitoring Team to circulate to the Committee every six months a list of individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate;

40. *Reaffirms* that the Monitoring Team should circulate to the Committee every six months a list of individuals on the Al-Qaida Sanctions 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, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove listings of deceased individuals, where credible information regarding death is available;

41. *Reaffirms* that the Monitoring Team should circulate to the Committee every six months a list of entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information, directs the Committee to review these listings to decide whether they remain appropriate, and calls upon the Committee to remove such listings where credible information is available;

42. Further directs the Committee, in light of the completion of the review described in paragraph 25 of resolution 1822 (2008), to conduct an annual review of all names on the Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”), in which the relevant names are circulated to the designating States and States of residence, nationality, location or incorporation, where known, pursuant to the procedures set forth in the Committee guidelines, to ensure the Al-Qaida Sanctions List is as updated and accurate as possible through identifying listings that no longer remain appropriate and confirming listings that remain appropriate, and notes that the Committee’s consideration of a delisting request after the date of adoption of this resolution, pursuant to the procedures set out in annex II of this

resolution, should be considered equivalent to a review conducted pursuant to paragraph 26 of resolution 1822 (2008);

Measures implementation

43. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above; and recalling paragraph 7 of resolution 1617 (2005), strongly urges all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force's (FATF) revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, particularly Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing;

44. *Strongly urges* Member States to apply the elements in FATF's Interpretive Note to Recommendation 6, and to take note of, *inter alia*, related best practices for effective implementation of targeted financial sanctions related to terrorism and terrorist financing, and takes note of the need to have appropriate legal authorities and procedures to apply and enforce targeted financial sanctions that are not conditional upon the existence of criminal proceedings, and to apply an evidentiary standard of proof of "reasonable grounds" or "reasonable basis", as well as the ability to collect or solicit as much information as possible from all relevant sources;

45. *Directs* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Al-Qaida List and for removing them as well as for granting exemptions per resolution 1452 (2002), and directs the Committee to keep its guidelines under active review in support of these objectives;

46. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 8, 10, 12, 13, 19, 22, 23, 32, 36, 37, 59, 60, 61 and 62;

47. *Encourages* Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues;

48. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

49. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and requests the Chair, in periodic reports to the Council pursuant to paragraph 59 below, to provide progress reports on the Committee's work on this issue;

50. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

51. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

52. *Encourages* Member States that issue travel documents to listed individuals to note, as appropriate, that the bearer is subject to the travel ban and corresponding exemption procedures;

53. *Confirms* that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines;

54. *Encourages* designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed an individual's case and whether any judicial proceedings have begun, and to include any other relevant information when it submits its standard form for listing;

55. *Requests* the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

Coordination and outreach

56. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requests the Secretary-General to

make the necessary arrangements for the groups to be co-located as soon as possible;

57. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with the Counter-Terrorism Executive Directorate (CTED) and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

58. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009) and 1989 (2011);

59. *Requests* the Committee to report orally, through its Chair, at least once per year, 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 Chairs of CTC and the Committee established pursuant to resolution 1540 (2004), expresses its intention to hold informal consultations at least once per year on the work of the Committee, on the basis of reports from the Chair to the Council, and further requests the Chair to hold periodic briefings for all interested Member States;

Monitoring Team

60. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of thirty months, under the direction of the Committee with the responsibilities outlined in annex I, and requests the Secretary-General to make the necessary arrangements to this effect;

61. *Directs* the Monitoring Team to identify, gather information on, and keep the Committee informed of instances and common patterns of non-compliance with the measures imposed in this resolution, as well as to facilitate, upon request by Member States, assistance on capacity-building, requests the Monitoring Team to work closely with State(s) of residence, nationality, location or incorporation, designating States and other relevant States, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

62. *Directs* the Committee, with the assistance of its Monitoring Team, to hold special meetings on important thematic or regional topics

and Member States' capacity challenges, in consultation, as appropriate, with the 1373 Committee and its Executive Directorate, CTITF, and with the Financial Action Task Force to identify and prioritize areas for the provision of technical assistance to enable more effective implementation by Member States;

Reviews

63. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months, or sooner if necessary;

64. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 60 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

- (a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 31 June 2013, and the second by 31 December 2013, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;
- (b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution, including by providing updated information on those individuals, groups, undertakings or entities seeking their removal from the Al-Qaida Sanctions List;
- (c) To assist the Committee in regularly reviewing names on the Al-Qaida Sanctions List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;
- (d) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee, as instructed by the Committee;
- (e) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;
- (f) To submit a comprehensive program of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordi-

nation with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(g) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(h) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(i) To gather information, on behalf of the Committee, on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by collating information collected from Member States and engaging with suspected non-compliant parties, and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(j) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Al-Qaida Sanctions List;

(k) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 14;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly-reported information on a deceased individual;

(m) To consult with Member States in advance of travel to selected Member States, based on its program of work as approved by the Committee;

(n) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the country of visit, where appropriate;

(o) To encourage Member States to submit names and additional identifying information for inclusion on the Al-Qaida Sanctions List, as instructed by the Committee;

(p) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Al-Qaida Sanctions List as updated and accurate as possible;

- (q) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;
- (r) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, and other individuals, groups, undertakings and entities associated with it; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (s) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the Monitoring Team's reports referred to in paragraph (a) of this annex;
- (t) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;
- (u) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;
- (v) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- (w) To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;
- (x) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices, and to work with INTERPOL to ensure that INTERPOL-UN Special Notices exist for all listed individuals, groups, undertakings, and entities;
- (y) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006), and to work with the Secretariat to discuss measures to standardize the format of all United Nations sanctions lists so as to facilitate implementation by national authorities;
- (z) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

- (aa) To report periodically, as appropriate, to the Committee on linkages between Al-Qaida and those individuals, groups, undertakings or entities eligible for designation under paragraph 1 of resolution 2082 (2012) or any other relevant sanctions resolutions; and
- (bb) Any other responsibility identified by the Committee.

ANNEX II

In accordance with paragraph 19 of this resolution, 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 Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity (“the petitioner”).

The Council recalls that Member States are not permitted to submit delisting petitions on behalf of an individual, group, undertaking or entity to the Office of the Ombudsperson.

Information gathering (four 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;
 - (d) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 2 of this resolution, and return it to the petitioner for his or her consideration; and,
 - (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 United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within four 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 four 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

(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 four-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, and any significant challenges encountered therein. 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. The Ombudsperson may shorten this time period if he or she assesses less time is required.

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) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, or any cell, affiliate, splinter group, or derivative thereof, and undertakes not to associate with Al-Qaida in the future;
- (c) Should meet with the petitioner, to the extent possible;
- (d) 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;
- (e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;
- (f) During the information gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;
- (g) In the course of the information gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a state on a confidential basis, without the express written consent of that state; and,
- (h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating states, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original designation.

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 recommendation, lay out for the Committee the principal arguments concerning the delisting request. The recommendation should state the Ombudsperson's views with respect to the listing as of the time of the examination of the delisting request.

Committee discussion

8. After the Committee has had fifteen days to review the Comprehensive Report in all official languages of the United Nations, 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. Committee consideration of the Comprehensive Report shall be completed no later than thirty days from the date the Comprehensive Report is submitted to the Committee for its review.

11. After the Committee has completed its consideration of the Comprehensive Report, the Ombudsperson may notify all relevant States of the recommendation.

12. In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures.

13. In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity sixty days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with this annex II, including paragraph 6 (*h*), unless the Committee decides by consensus before the end of that sixty-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of sixty days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council.

14. After the Committee decides to accept or reject the delisting request, the Committee shall convey to the Ombudsperson its decision, setting out its reasons, and including any further relevant information about the Committee's decision, and an updated narrative summary of

reasons for listing, where appropriate, for the Ombudsperson to transmit to the petitioner.

15. 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 14 above.

16. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

17. The Ombudsperson may notify the petitioner, as well as those States relevant to a case but which are not members of the Committee, of the stage at which the process has reached.

Other Office of the Ombudsperson Tasks

18. 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;
 - (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 17 of this resolution; and
 - (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

90. Resolution 2160 (2014)

THE SITUATION IN AFGHANISTAN (UPDATING THE SANCTIONS REGIME UNDER RESOLUTION 1988 (2011) TO SUPPORT RECONCILIATION, INCLUDING BY REMOVING NAMES FROM THE UNITED NATIONS SANCTIONS LISTS FOR THOSE WHO RECONCILE AND HAVE CEASED TO ENGAGE IN OR SUPPORT ACTIVITIES THAT THREATEN THE PEACE, STABILITY AND SECURITY OF AFGHANISTAN)

Adopted by the Security Council at its 7198th meeting, on 17 June 2014

The Security Council,

Recalling its previous resolutions on international terrorism and the threat it poses to Afghanistan, in particular its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2082 (2012), 2083 (2012), 2133 (2014), and the relevant statements of its President,

Recalling its previous resolutions extending through 17 March 2015 the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) as defined in resolution 2145 (2014),

Recalling its resolutions on the recruitment and use of children and armed conflict, *expressing* its strong concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida, and other violent and extremist groups, illegal armed groups, criminals and those involved in the narcotics trade, and the strong links between terrorism and insurgency activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Welcoming the process by which Afghanistan and its regional and international partners are entering into long-term strategic partnership and other agreements aimed at achieving a peaceful, stable and prosperous Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the importance of a comprehensive political process in Afghanistan to support reconciliation among all Afghans,

Recognizing that the security situation in Afghanistan has evolved and that some members of the Taliban have reconciled with the Government of Afghanistan, have rejected the terrorist ideology of Al-Qaida

and its followers, and support a peaceful resolution to the continuing conflict in Afghanistan,

Recognizing that, notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, the situation in Afghanistan remains a threat to international peace and security, and *reaffirming* the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law, stressing in this regard the important role the United Nations plays in this effort,

Reiterating its firm commitment to support the Government of Afghanistan in its efforts to advance the peace and reconciliation process, including by the High Peace Council and the implementation of the Afghanistan Peace and Reconciliation Programme, in line with the Kabul Communiqué and the Bonn Conference Conclusions, and within the framework of the Afghan Constitution and application of the procedures introduced by the Security Council in its resolution 1988 (2011) and 2082 (2012) as well as other relevant resolutions of the Council,

Welcoming the decision taken by some members of the Taliban to reconcile with the Government of Afghanistan, to have no links to international terrorist organizations, including Al-Qaida, to respect the constitution, including its human rights provisions, notably the rights of women, and to support a peaceful resolution to the continuing conflict in Afghanistan, and *urging* all those individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, to accept the Government of Afghanistan's offer of reconciliation,

Reiterating its concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida and other violent and extremist groups, illegal armed groups, criminals and those involved in terrorism and the illicit brokering in arms and related material and arms trafficking in the production, trafficking or trade of illicit drugs, and the strong links between terrorism and insurgency activities and illicit drugs, resulting in threats to the local population, including women, children, national security forces and international military and civilian personnel, including humanitarian and development workers,

Underscoring the importance of humanitarian aid operations and *condemning* all acts or threats of violence against United Nations staff and humanitarian actors and any politicization of humanitarian assistance by the Taliban and associated groups or individuals,

Reiterating the need to ensure that the present sanctions regime contributes effectively to ongoing efforts to combat the insurgency and support the Government of Afghanistan's work to advance reconciliation in order to bring about peace, stability, and security in Afghanistan,

Taking note of the Government of Afghanistan's request that the Security Council support reconciliation, including by removing names from the United Nations sanctions lists for those who reconcile and have ceased to engage in or support activities that threaten the peace, stability and security of Afghanistan,

Expressing its intention to give due regard to lifting sanctions on those who reconcile,

Welcoming the briefings by the Chairman of the High Peace Council to the Committee in December 2012 and 2013 as a sign of close, ongoing cooperation between the Security Council and those Afghans working for peace and national reconciliation in Afghanistan,

Stressing the central and impartial role that the United Nations continues to play in promoting peace, stability and security in Afghanistan, and *expressing* its appreciation and strong support for the ongoing efforts of the Secretary-General and his Special Representative for Afghanistan to assist the High Peace Council's peace and reconciliation efforts,

Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries,

Recalling its resolution 2133 (2014) and the publication by the Global Counterterrorism Forum (GCTF) of the "Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists", *strongly condemning* incidents of kidnapping and hostage-taking committed by terrorist groups for any purpose, including with the aim of raising funds or gaining political concessions, *expressing its determination* to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law, *calling upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages, and *reaffirming* the need for all Member States to cooperate closely during incidents of kidnapping and hostage-taking committed by terrorist groups,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communications technologies, in particular the Internet, to facilitate terrorist acts, as well as their use to incite, recruit, fund, or plan terrorist acts,

Recognizing the importance of making the Afghanistan/Taliban sanctions list available in Dari and Pashtu,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the following measures with respect to individuals and entities designated prior to the date of adoption of resolution 1988 (2011) as the Taliban, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established in paragraph 35 of resolution 1988 (“the Committee”) (hereafter known as “the List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons’ benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified, including where this directly relates to supporting efforts by the Government of Afghanistan to promote reconciliation;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Decides* that the acts or activities indicating that an individual, group, undertaking or entity is eligible for listing under paragraph 1 include:

(a) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or

(d) Otherwise supporting acts or activities of those designated and other individuals, groups, undertakings and entities associated

with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

3. *Confirms* that any individual or any group, undertaking or entity owned or controlled, directly or indirectly by, or otherwise supporting, such an individual, group, undertaking or entity on the List, shall be eligible for listing;

4. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crimes, including the illicit cultivation, production and trafficking of narcotic drugs originating in and transiting through Afghanistan, and trafficking of precursors into Afghanistan, and *underscores* the need to prevent those associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan from benefiting, directly or indirectly, from entities engaging in activities prohibited by this resolution, as well as the illegal exploitation of natural resources in Afghanistan;

5. *Confirms* that the requirements in paragraph 1 (a) above apply to all proposed uses of funds or other financial assets or economic resources in connection with the travel of a listed individual, including costs incurred with respect to transportation and lodging, and that such travel-related funds or other financial assets or economic resources may only be provided in accordance with the exemption procedures set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and in paragraph 12 below;

6. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of those on this List, as well as other individuals, groups, undertakings or entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

7. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the direct or indirect payment of ransoms to or for the benefit of individuals, groups, undertakings or entities on the List, regardless of how or by whom the ransom is paid;

8. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

9. *Decides* that States, in order to prevent those associated with the Taliban and other individuals, groups, undertakings and entities from obtaining, handling, storing, using or seeking access to all types of explosives, whether military, civilian or improvised explosives, as well as to raw materials and components that can be used to manufacture

improvised explosive devices or unconventional weapons, including (but not limited to) chemical components, detonating cord, or poisons, shall undertake appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and storage of such materials, including through the issuance of good practices, and *further encourages* Member States to share information, establish partnerships, and develop national strategies and capabilities to counter improvised explosive devices;

10. *Encourages* Member States to consult the List when considering travel visa applications;

11. *Encourages* Member States to exchange information expeditiously with other Member States, in particular the Government of Afghanistan, when they detect the travel of individuals on the List;

Exemptions

12. *Recalls* its decision that all Member States may make use of the provisions set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), regarding available exemptions with regard to the measures in paragraph 1 (a), and *encourages* their use by Member States;

13. *Underlines* the importance of a comprehensive political process in Afghanistan to support peace and reconciliation among all Afghans, *invites* the Government of Afghanistan, in close coordination with the High Peace Council, to submit for the Committee's consideration the names of listed individuals for whom it confirms travel to such specified location or locations is necessary to participate in meetings in support of peace and reconciliation, and *requires* such submissions to include, to the extent possible, the following information:

(a) The passport number or travel document number of the listed individual;

(b) The specific location or locations to which each listed individual is expected to travel and their anticipated transit points, if any;

(c) The period of time, not to exceed nine months, during which listed individuals are expected to travel;

14. *Decides* that the travel ban imposed by paragraph 1 (b) shall not apply to individuals identified pursuant to paragraph 13 above, where the Committee determines, on a case-by-case basis only, that such entry or transit is justified, further *decides* that any such exemption approved by the Committee shall only be granted for the requested period for any travel to the specified location or locations, *directs* the Committee to decide on all such exemption requests, as well as on

requests to amend or renew previously granted exemptions, or on a request by any Member State to revoke previously granted exemptions, within ten days of receiving them, and *affirms* that, notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of this resolution;

15. *Requests* the Government of Afghanistan, through the Monitoring Team, to provide to the Committee, for its consideration and review, a report on each individual's travel under a granted exemption, promptly upon the exemption's expiration, and *encourages* relevant Member States to provide information to the Committee, as appropriate, on any instances of non-compliance;

Listing

16. *Encourages* all Member States, in particular the Government of Afghanistan, to submit to the Committee for inclusion on the List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities described in paragraph 2 above;

17. *Reaffirms* that, when proposing names to the Committee for inclusion on the List, Member States shall use the standard form for listing and provide a statement of case, which should include detailed reasons on the proposed basis for the listing, and as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a INTERPOL-United Nations Security Council Special Notice, and *decides further* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 20 below;

18. *Encourages* Member States, in accordance with their national legislation, to submit to INTERPOL, where available, photographs and other biometric data of individuals for the inclusion in the INTERPOL-United Nations Security Council Special Notices, and *directs* the Monitoring Team to report to the Committee on further steps that could be taken to improve the quality of the 1988 Sanctions List, including by improving identifying information, as well as steps to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities;

19. *Directs* the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution;

20. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the List, a narrative summary of reasons for listing for the corresponding entry;

21. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any appropriate information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on listing and provide additional material for the narrative summary of reasons for listing described in paragraph 20;

22. *Requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List, and *requests* the Secretary-General to make all list entries and narrative summaries of reasons for listing available in all official languages of the United Nations in a timely and accurate manner, and *notes* the unique circumstances of this request, which is for the purpose of harmonizing this Committee's translation procedures of issuing lists and narrative summaries with those of other United Nations Security Council sanctions committees;

23. *Strongly urges* Member States, when considering the proposal of a new listing, to consult with the Government of Afghanistan on the listing prior to submission to the Committee to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts, and *encourages* all Member States considering the proposal of a new listing to seek advice from UNAMA, where appropriate;

24. *Decides* that the Committee shall, after publication but within three working days after a name is added to the List, notify the Government of Afghanistan, the Permanent Mission of Afghanistan, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national; and further *decides* that the relevant Member State(s) shall take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the listing and to include with this notification the narrative summary of reasons for listing, a description of the effects of listing, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002), as amended by resolution 1735 (2006), regarding available exemptions;

Delisting

25. *Directs* the Committee to remove expeditiously individuals and entities on a case-by-case basis that no longer meet the listing criteria outlined in paragraph 2 above, and *requests* that the Committee give due regard to requests for removal of individuals who have reconciled, in accordance with the 20 July 2010 Kabul Conference Communiqué on dialogue for all those who renounce violence, have no links to international terrorist organizations, including Al-Qaida, respect the constitution, including its human rights provisions, notably the rights of women, and are willing to join in building a peaceful Afghanistan, and as further elaborated in the principles and outcomes of the 5 December 2011 Bonn Conference Conclusions supported by the Government of Afghanistan and the international community;

26. *Strongly urges* Member States to consult with the Government of Afghanistan on their delisting requests prior to submission to the Committee, to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts;

27. *Recalls* its decision that individuals and entities seeking removal from the List without the sponsorship of a Member State are eligible to submit such requests to the Focal Point mechanism established in resolution 1730 (2006);

28. *Encourages* UNAMA to support and facilitate cooperation between the Government of Afghanistan and the Committee to ensure that the Committee has sufficient information to consider delisting requests, and *directs* the Committee to consider delisting requests in accordance with the following principles, where relevant:

(a) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Programme, documentation attesting to their reconciliation under the previous programme, as well as current address and contact information;

(b) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraph 2 of this resolution should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information;

(c) Delisting requests for reportedly deceased individuals should include an official statement of death from the State of nationality, residence, or other relevant State;

29. *Urges* the Committee, where appropriate, to invite a representative of the Government of Afghanistan to appear before the Committee to discuss the merits of listing or delisting certain individuals, groups, undertakings, and entities, including when a request by the Government of Afghanistan has been put on hold or rejected by the Committee;

30. *Requests* all Member States, but particularly the Government of Afghanistan, to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for listing under paragraph 1 of this resolution, and *further requests* that the Government of Afghanistan provide to the Committee an annual report on the status of reportedly reconciled individuals who have been delisted by the Committee in the previous year;

31. *Directs* the Committee to consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 2, including by engaging in acts inconsistent with paragraph 25 of this resolution, and *requests* the Government of Afghanistan or other Member States, where appropriate, to submit a request to add that individual's name back on the list;

32. *Confirms* that the Secretariat shall, as soon as possible after the Committee has made a decision to remove a name from the List, transmit the decision to the Government of Afghanistan and the Permanent Mission of Afghanistan for notification, and the Secretariat should also, as soon as possible, notify the Permanent Mission of the State(s) in which the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of nationality, and *recalls* its decision that States receiving such notification take measures, in accordance with domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

Review and maintenance of the List

33. *Recognizes* that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, *urges* the Committee to decide on listing and delisting requests in a timely manner, *requests* the Committee to review each entry on the list on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly

deceased, and entities reported or confirmed to have ceased to exist, *directs* the Committee to review and amend its guidelines for such reviews, as appropriate, and *requests* the Monitoring Team to circulate to the Committee every twelve months a list compiled in consultation with the respective designating States and States of residence, in particular the Government of Afghanistan, as well as States of nationality, location or incorporation, where known, of:

- (a) Individuals on the List whom the Afghan Government considers to be reconciled along with relevant documentation as outlined in paragraph 28 (a);
- (b) Individuals and entities on the List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them;
- (c) Individuals on the List who are reportedly deceased, along with an assessment of relevant information outlined in paragraph 28 (c) 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;

34. *Directs* the Committee to review whether these listings remain appropriate, and *further directs* the Committee to remove listings if it decides they are no longer appropriate;

35. *Requests* the Monitoring Team to provide an overview of the current status of the information included in the INTERPOL-United Nations Security Council Special Notices on a periodic basis, as appropriate;

36. *Decides* that, with the exception of decisions made pursuant to paragraph 14 of this resolution, no matter shall be left pending before the Committee for a period longer than six months, *urges* Committee members to respond within three months, and *directs* the Committee to update its guidelines as appropriate;

37. *Urges* the Committee to ensure that there are fair and clear procedures for the conduct of its work, and *directs* the Committee to review its guidelines as soon as possible, in particular with respect to paragraphs 18, 22, 33, 34, 35 and 36;

38. *Encourages* Member States and relevant international organizations to send representatives to meet with the Committee to share information and discuss any relevant issues;

39. *Encourages* all Member States, in particular designating States and States of residence, nationality, location or incorporation, to submit to the Committee additional identifying and other information, including where available, and in accordance with their national legislation, photographs and other biometric data of individuals along with supporting documentation, on listed individuals, groups, undertakings

and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

Cooperation with the Government of Afghanistan

40. *Welcomes* periodic briefings from the Government of Afghanistan on the content of the list, as well as on the impact of targeted sanctions on deterring threats to the peace, stability and security of Afghanistan, and supporting Afghan-led reconciliation;

41. *Encourages* continued cooperation among the Committee, the Government of Afghanistan, and UNAMA, including by identifying and providing detailed information regarding individuals and entities participating in the financing or support of acts or activities set forth in paragraph 2 of this resolution, and by inviting UNAMA representatives to address the Committee;

42. *Welcomes* the Government of Afghanistan's desire to assist the Committee in the coordination of listing and delisting requests and in the submission of all relevant information to the Committee;

Monitoring Team

43. *Decides*, in order to assist the Committee in fulfilling its mandate, that the 1267/1989 Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), shall also support the Committee for a period of thirty months from the date of expiration of the current mandate in June 2015, with the mandate set forth in the annex to this resolution, and further *requests* the Secretary-General to continue to ensure that the Monitoring Team receives the necessary administrative and substantive support to effectively, safely and in a timely manner fulfil its mandate, including with regard to duty of care in high risk environments, under the direction of the Committee, a subsidiary organ of the Security Council;

44. *Directs* the Monitoring Team to gather information on instances of non-compliance with the measures imposed in this resolution and to keep the Committee informed of such instances, as well as to facilitate, upon request by Member States, assistance on capacity-building, *encourages* Committee members to address issues of non-compliance and bring them to the attention of the Monitoring Team or the Committee, and *further directs* the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

Coordination and Outreach

45. *Recognizes* the need to maintain contact with relevant United Nations Security Council Committees, international organizations and expert groups, including the Committee established pursuant to resolution 1267 (1999), the Counter-Terrorism Committee (CTC), the United Nations Office of Drugs and Crime, the Counter-Terrorism Committee Executive Directorate (CTED), the Committee established pursuant to resolution 1540 (2004), and the Financial Action Task Force (FATF), particularly given the continuing presence and negative influence on the Afghan conflict by Al-Qaida, and any cell, affiliate, splinter group or derivative thereof;

46. *Encourages* UNAMA to provide assistance to the High Peace Council, at its request, to encourage listed individuals to reconcile;

Reviews

47. *Decides* to review the implementation of the measures outlined in this resolution in eighteen months and make adjustments, as necessary, to support peace and stability in Afghanistan;

48. *Decides* to remain actively seized of the matter.

ANNEX

In accordance with paragraph 43 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 1 November 2014, and the second by 1 June 2015, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Committee in regularly reviewing names on the List, including by undertaking travel on behalf of the Committee as a subsidiary organ of the Security Council and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(c) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(d) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel on behalf of the Committee;

- (e) To gather information on behalf of the Committee on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by, but not limited to, collating information from Member States and engaging with related parties, pursuing case studies, both on its own initiative and upon the Committee's request, and to provide recommendations to the Committee on such cases of non-compliance for its review;
- (f) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the List;
- (g) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 20 of this resolution;
- (h) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual;
- (i) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;
- (j) To encourage Member States to submit names and additional identifying information for inclusion on the List, as instructed by the Committee;
- (k) To consult with the Committee, the Government of Afghanistan, or any relevant Member States, as appropriate, when identifying individuals or entities that could be added to, or removed from, the List;
- (l) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the List as updated and accurate as possible;
- (m) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (n) To consult with Member States and other relevant organizations and bodies, including UNAMA and other United Nations agencies, and engage in regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be reflected in the Monitoring Team's reports referred to in paragraph (a) of this annex;
- (o) To cooperate closely with the United Nations Office on Drugs and Crime (UNODC) and engage in a regular dialogue with Member States on the nexus between narcotics trafficking and those

individuals, groups, undertakings, and entities eligible for listing under paragraph 1 of this resolution, and report as requested by the Committee;

(p) To submit to the Committee on 1 December 2014 a special written report, in consultation with the Government of Afghanistan, UNODC and the United Nations sanctions expert panels, as appropriate, on specific cases of cooperation between organized crime syndicates, notably groups undertaking hostage-taking for ransom, narcotics producers and traders, as well as those illegally exploiting natural resources in Afghanistan, including precious and semi-precious stones, and those individuals, groups, undertakings, and entities eligible for listing under paragraph 1 of this resolution;

(q) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(r) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(s) To cooperate closely with the Al-Qaida Sanctions Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and other relevant United Nations counter-terrorism bodies in providing information on the measures taken by Member States on kidnapping and hostage-taking for ransom and on relevant trends and developments in this area;

(t) To consult with the Government of Afghanistan, Member States, relevant representatives of the private sector, including financial institutions and relevant non-financial businesses and professions, and with relevant international organizations, including the Financial Action Task Force (FATF) and its regional bodies to raise awareness of and learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of the implementation of that measure in accordance with FATF Recommendation 6 on asset freezing and its related guidance;

(u) To consult with the Government of Afghanistan, Member States, relevant representatives of the private sector and other international organizations, including International Civil Aviation Organization (ICAO), the International Air Transport Association (IATA) and the World Customs Organization (WCO) to raise awareness of and learn about the practical implementation of the travel ban and assets freeze and to develop recommendations for the strengthening of the implementation of these measures;

- (v) To consult with the Government of Afghanistan, Member States, international and regional organizations and relevant representatives of the private sector on the threat posed by improvised explosive devices (IEDs) to peace, security and stability in Afghanistan, to raise awareness of the threat and to develop recommendations for appropriate measures to counter this threat;
- (w) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- (x) To cooperate with INTERPOL and Member States to obtain photographs, physical descriptions and, in accordance with their national legislation, other biometric and biographic data of listed individuals when available for inclusion in INTERPOL-United Nations Security Council Special Notices and to exchange information on emerging threats;
- (y) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);
- (z) To assist the Committee in facilitating assistance in capacity-building for enhancing implementation of the measures, upon request by Member States;
- (aa) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- (bb) To study and report to the Committee on the current nature of the threat of individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan and the best measures to confront it, including by developing a dialogue with relevant scholars, academic bodies and experts according to the priorities identified by the Committee;
- (cc) To gather information, including from the Government of Afghanistan and relevant Member States, on travel that takes place under a granted exemption, pursuant to paragraphs 13 and 14, and to report to the Committee, as appropriate; and
- (dd) Any other responsibility identified by the Committee.

91. Resolution 2161 (2014)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE SANCTIONS REGIME UNDER RESOLUTIONS 1333 (2000), 1390 (2002), AND 1989 (2011), (“ISIL (DA’ESH) & AL-QAIDA SANCTIONS LIST), AND EXTENSION OF THE MANDATE OF THE OFFICE OF THE OMBUDSPERSON)

Adopted by the Security Council at its 7198th meeting, on 17 June 2014

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), and 2133 (2014) and the relevant statements of its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and *reiterating* its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality or civilization,

Recalling the Presidential Statements of the Security Council (S/PRST/2013/1) of 15 January 2013 on threats to international peace and security caused by terrorist acts and (S/PRST/2013/5) on peace and security in Africa,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, *stressing* in this regard the important role the United Nations plays in leading and coordinating this effort,

Recalling its resolution 2133 (2014) and the publication by the Global Counterterrorism Forum (GCTF) of the “Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists”, *strongly condemning* incidents of kidnapping and hostage-taking committed by terrorist groups for any

purpose, including with the aim of raising funds or gaining political concessions, *expressing its determination* to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law, *calling upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages, and *reaffirming* the need for all Member States to cooperate closely during incidents of kidnapping and hostage-taking committed by terrorist groups,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, and *stressing* in this regard the need for robust implementation of the measures in paragraph 1 of this resolution as a significant tool in combating terrorist activity,

Reminding all States that they have an obligation to take the measures described in paragraph 1 with respect to all individuals, groups, undertakings and entities included on the Al-Qaida Sanctions List, regardless of the nationality or residence of such individuals, groups, undertakings or entities,

Urging all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999), 1333 (2000) and 1989 (2011) (“the Al-Qaida Sanctions List”) by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

Reminding the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) (“the Committee”) to remove expeditiously and on a case-by-case basis individuals, groups, undertakings and entities that no longer meet the criteria for listing outlined in this resolution,

Recognizing the challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution, *welcoming* improvements to the Committee’s procedures and the quality of the Al-Qaida Sanctions List, and *expressing* its intent to continue efforts to ensure that procedures are fair and clear,

Welcoming the establishment of the Office of the Ombudsperson pursuant to resolution 1904 (2009) and the enhancement of the Ombudsperson’s mandate in resolutions 1989 (2011) and 2083 (2012), *noting* the

Office of the Ombudsperson's significant contribution in providing additional fairness and transparency, and *recalling* the Security Council's firm commitment to ensuring that the Office of the Ombudsperson is able to continue to carry out its role effectively, in accordance with its mandate,

Welcoming the Ombudsperson's biannual reports to the Security Council, including the reports submitted on 21 January 2011, 22 July 2011, 20 January 2012, 30 July 2012, 31 January 2013, 31 July 2013, and 31 January 2014,

Welcoming the fourth review in June 2014 by the General Assembly of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288) of 8 September 2006 and the creation of the Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system and the Report of the Secretary-General of 14 April 2014 on activities of the United Nations system in implementing the Strategy (A/68/841),

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, and all other United Nations bodies, and *encouraging* further engagement with the CTITF to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Recognizing the need to take measures to prevent and suppress the financing of terrorism and terrorist organizations, including from the proceeds of organized crime, *inter alia*, the illicit production and trafficking of drugs and their chemical precursors, and the importance of continued international cooperation to that aim,

Recognizing the need for Member States to prevent the abuse of non-governmental, non-profit and charitable organizations by and for terrorists, and *calling upon* non-governmental, non-profit, and charitable organizations to prevent and oppose, as appropriate, attempts by terrorists to abuse their status, while recalling the importance of fully respecting the rights to freedom of expression and association of individuals in civil society and freedom of religion or belief, and *noting* the relevant recommendation and guidance documents of the Financial Action Task Force,

Recalling its decision that States shall eliminate the supply of weapons, including small arms and light weapons, to terrorists, as well as its calls for States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional and international levels,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters, of new information and communications

technologies, in particular the Internet, to facilitate terrorist acts, as well as their use to incite, recruit, fund or plan terrorist acts,

Expressing concern at the flow of international recruits to Al-Qaida and those groups associated with it, and the scale of this phenomenon, and *reiterating* further the obligation of Member States to prevent the movement of terrorist groups, in accordance with applicable international law, by, *inter alia*, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists and financing that would support terrorists,

Noting with concern the continued threat posed to international peace and security by Al-Qaida and other individuals, groups, undertakings and entities associated with it, and *reaffirming* its resolve to address all aspects of that threat,

Noting that, in some instances, certain individuals, groups, undertakings and entities that meet the criteria for listing set forth in paragraph 2 of resolution 2082 (2012) or other relevant sanctions resolutions may also meet the criteria for listing set forth in paragraph 2 of this resolution,

Noting the efforts of the Secretariat to standardize the format of all United Nations sanctions lists to facilitate implementation by national authorities, and *encouraging* the Secretariat, with the assistance of the Monitoring Team, as appropriate, to continue its work to implement the data model approved by the Al-Qaida Sanctions Committee,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the measures as previously imposed by paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), and paragraphs 1 and 4 of resolution 1989 (2011), with respect to Al-Qaida and other individuals, groups, undertakings and entities associated with them:

Asset Freeze

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

Travel Ban

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

Arms Embargo

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

Listing Criteria

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida and eligible for inclusion in the Al-Qaida Sanctions List include:

(a) Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or otherwise supporting acts or activities of Al-Qaida or any cell, affiliate, splinter group or derivative thereof;

3. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors;

4. *Confirms* that any individual, group, undertaking or entity either owned or controlled, directly or indirectly, by, or otherwise supporting, any individual, group, undertaking or entity associated with Al-Qaida, including on the Al-Qaida Sanctions List, shall be eligible for listing;

5. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida and other individuals, groups, undertakings or entities included on the Al-Qaida Sanctions List;

6. *Confirms* that the requirements in paragraph 1 (a) above apply to funds, financial assets or economic resources that may be made

available, directly or indirectly, to or for the benefit of listed individuals in connection with their travel, including costs incurred with respect to transportation and lodging, and that such travel-related funds, other financial assets or economic resources may only be provided in accordance with the exemption procedures set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and in paragraphs 9 and 61 below;

7. *Confirms further* that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List, regardless of how or by whom the ransom is paid;

8. *Reaffirms* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

9. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), *confirms* that exemptions to the travel ban must be submitted by Member States, individuals or the Ombudsperson, as appropriate, including when listed individuals travel for the purpose of fulfilling religious obligations, and *notes* that the Focal Point mechanism established in resolution 1730 (2006) may receive exemption requests submitted by, or on behalf of, an individual, group, undertaking or entity on the Al-Qaida Sanctions List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 62 below;

Measures implementation

10. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above, strongly *urges* all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force's (FATF) revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, particularly Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing;

11. *Strongly urges* Member States to apply the elements in FATF's Interpretive Note to Recommendation 6, and to take note of, *inter alia*, related best practices for effective implementation of targeted financial sanctions related to terrorism and terrorist financing, and takes note of the need to have appropriate legal authorities and procedures to apply

and enforce targeted financial sanctions that are not conditional upon the existence of criminal proceedings, and to apply an evidentiary standard of proof of “reasonable grounds” or “reasonable basis”, as well as the ability to collect or solicit as much information as possible from all relevant sources;

12. *Calls upon* Member States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals and entities on the Al-Qaida Sanctions List, as required by paragraph 1 (a), and *taking into account* relevant FATF Recommendations and international standards designed to prevent the abuse of non-profit organizations, informal/alternative remittance systems and the physical trans-border movement of currency, while working to mitigate the impact on legitimate activities through these mediums;

13. *Urges* Member States to promote awareness of the Al-Qaida Sanctions List as widely as possible, including to relevant domestic agencies, the private sector and the general public to ensure effective implementation of the measures in paragraph 1; and *encourages* Member States to urge that their respective company, property and other relevant public and private registries regularly screen their available databases, including but not limited to those with legal and/or beneficial ownership information, against the Al-Qaida Sanctions List;

14. *Decides* that Member States, in order to prevent Al-Qaida and other individuals, groups, undertakings and entities associated with it from obtaining, handling, storing, using or seeking access to all types of explosives, whether military, civilian or improvised explosives, as well as to raw materials and components that can be used to manufacture improvised explosive devices or unconventional weapons, including (but not limited to) chemical components, detonating cord, or poisons, shall undertake appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and storage of such materials, including through the issuance of good practices, and *further encourages* Member States to share information, establish partnerships, and develop national strategies and capabilities to counter improvised explosive devices;

15. *Encourages* Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues;

16. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and

practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

17. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

18. *Encourages* Member States that issue travel documents to listed individuals to note, as appropriate, that the bearer is subject to the travel ban and corresponding exemption procedures;

19. *Encourages* Member States to consult the Al-Qaida Sanctions List when considering whether to grant travel visa applications, for the purpose of effectively implementing the travel ban;

20. *Encourages* Member States to exchange information expeditiously with other Member States, in particular states of origin, destination and transit, when they detect the travel of individuals on the Al-Qaida Sanctions List;

21. *Encourages* designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed a listed party's case and whether any judicial proceedings have begun, and to include any other relevant information when it submits its standard form for listing;

22. *Encourages* all Member States to designate national focal points in charge of liaising with the Committee and the Monitoring Team on issues related to the implementation of the measures described in paragraph 1 above and the assessment of the threat from Al-Qaida and individuals, groups, undertakings and entities associated with it;

23. *Encourages* all Member States to report to the Committee on obstacles to the implementation of the measures described in paragraph 1 above, with a view to facilitating technical assistance;

The Committee

24. *Directs* the Committee to continue to ensure that fair and clear procedures exist for placing individuals, groups, undertakings and entities on the Al-Qaida Sanctions List and for removing them as well as for granting exemptions per resolution 1452 (2002), and *directs* the Committee to keep its guidelines under active review in support of these objectives;

25. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 13, 14, 18, 19, 22, 34, 39, 44, 46, 51, 63, 64, 66 and 67;

26. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

27. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and requests the Chair, in periodic reports to the Council pursuant to paragraph 72 below, to provide progress reports on the Committee's work on this issue;

28. *Confirms* that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines;

29. *Requests* the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

Listing

30. *Encourages* all Member States to submit to the Committee for inclusion on the Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, and other individuals, groups, undertakings and entities associated with it;

31. *Reiterates* that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law;

32. *Reaffirms* that, when proposing names to the Committee for inclusion on the Al-Qaida Sanctions List, Member States shall use the standard form for listing provide a statement of case, which should include detailed reasons on the proposed basis for the listing, and as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and *decides* further that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 36 below;

33. *Reaffirms* that Member States proposing a new listing, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of this resolution, shall

specify if the Committee or the Ombudsperson may not make known the Member State's status as a designating State;

34. *Encourages* Member States to submit, where available and in accordance with their national legislation, photographs and other biometric data of individuals for inclusion in INTERPOL-United Nations Security Council Special Notices;

35. *Directs* the Committee to update, as necessary, the standard form for listing in accordance with the provisions of this resolution; and further *directs* the Monitoring Team to report to the Committee on further steps that could be taken to improve the quality of the Al-Qaida Sanctions List, including by improving identifying information, as well as steps to ensure that INTERPOL-UN Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities;

36. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the Al-Qaida Sanctions List, a narrative summary of reasons for listing the corresponding entry;

37. *Encourages* Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

38. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on listing and provide additional material for the narrative summary of reasons for listing described in paragraph 36;

39. *Reaffirms* that the Secretariat shall, after publication but within three working days after a name is added to the Al-Qaida Sanctions List, notify the Permanent Mission of the state or states where the individual or entity is believed to be located and, in the case of individuals, the state of which the person is a national (to the extent this information is known), *requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Al-Qaida Sanctions List, and *requests* the Secretary-General to make all list entries and narrative summaries of reasons for listing available in all official languages of the United Nations in a timely and accurate manner, and notes the unique circumstances of this request, which is for the purpose of harmonizing this Committee's translation procedures of issuing lists and narrative summaries with those of other United Nations Security Council sanctions committees;

40. *Reaffirms* the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the listing and to include with this notification the narrative summary of reasons for listing, a description of the effects of listing, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 43 of resolution 2083 (2012) and annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions, including the possibility of submitting such requests through the Focal Point mechanism in accordance with paragraphs 9 and 62 of this resolution;

Review of Delisting Requests—Ombudsperson/Member States

41. *Decides* to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II of this resolution, for a period of thirty months from the date of expiration of the Office of the Ombudsperson's current mandate in June 2015, *affirms* that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any government, and affirms that the Ombudsperson shall continue to present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting;

42. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the Comprehensive Report of the Ombudsperson on a delisting request pursuant to annex II;

43. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II of this resolution, including paragraph 7 (*h*) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member,

submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

44. *Decides* that the Committee may, by consensus, shorten the 60-day period referred to in paragraph 43 on a case-by-case basis;

45. *Reiterates* that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law;

46. *Requests* the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson by providing necessary resources, including for translation services, as appropriate, to ensure its continued ability to carry out its mandate in an independent, effective and timely manner;

47. *Strongly urges* Member States to provide all relevant information to the Ombudsperson, including any relevant confidential information, where appropriate, *encourages* Member States to provide relevant information in a timely manner, *welcomes* those national arrangements entered into by Member States with the Office of the Ombudsperson to facilitate the sharing of confidential information, *encourages* Member States' further cooperation in this regard, including by concluding arrangements with the Office of the Ombudsperson for the sharing of such information, and *confirms* that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it;

48. *Requests* that Member States and relevant international organizations and bodies encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to seek removal from the Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson;

49. *Notes* the Financial Action Task Force (FATF) international standards and, *inter alia*, best practices relating to targeted financial sanctions, as referenced in paragraph 12 of this resolution;

50. *Recalls* its decision that when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity after 60 days unless the Committee decides by consensus before the end of that 60-day period that the measures shall remain in place with respect to that individual,

group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

51. *Decides* that the Committee may, by consensus, shorten the 60-day period referred to in paragraph 50 on a case-by-case basis;

52. *Recalls* its decision that, for purposes of submitting a delisting request in paragraph 50, consensus must exist between or among all designating States in cases where there are multiple designating States; and further *recalls* its decision that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 50;

53. *Strongly urges* designating States to allow the Ombudsperson to reveal their identities as designating States to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson;

54. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in paragraph 2 of the present resolution, and *strongly urges* Member States to provide reasons for submitting their delisting requests;

55. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other individuals, groups, undertakings and entities on the Al-Qaida Sanctions List or any other Security Council sanctions list;

56. *Encourages* Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

57. *Reaffirms* that, prior to the unfreezing of any assets that have been frozen as a result of the listing of Usama bin Laden, Member States shall submit to the Committee a request to unfreeze such assets and shall provide assurances to the Committee that the assets will not be

transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Security Council resolution 1373 (2001), and decides further that such assets may only be unfrozen in the absence of an objection by a Committee member within thirty days of receiving the request, and stresses the exceptional nature of this provision, which shall not be considered as establishing a precedent;

58. *Calls upon* the Committee when considering delisting requests to give due consideration to the opinions of designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, *directs* Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and *calls upon* the Committee to provide reasons to relevant Member States and national and regional courts and bodies, upon request and where appropriate;

59. *Encourages* all Member States, including designating States and States of residence, nationality, location or incorporation to provide all information to the Committee relevant to the Committee's review of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further *encourages* the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions;

60. *Confirms* that the Secretariat shall, within three days after a name is removed from the Al-Qaida Sanctions List, notify the Permanent Mission of the State(s) of residence, nationality, location or incorporation (to the extent this information is known), and *decides* that States receiving such notification shall take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual, group, undertaking or entity of the delisting in a timely manner;

61. *Reaffirms* that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the petitioner, that the Committee consider granting exemptions to the restrictions on assets and travel in paragraphs 1 (a) and (b) of this resolution for the sole purpose of allowing the petitioner to meet travel expenses and travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further directs the Committee to notify the Ombudsperson of the Committee's decision;

Exemptions/Focal Point

62. *Decides* that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 1 (a) of this resolution, as defined in resolution 1452 (2002) provided that the request has first been submitted for the consideration of the State of residence, and decides further that the Focal Point shall transmit such requests to the Committee for a decision, directs the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and further directs the Committee, through the Focal Point, to notify such individuals, groups, undertaking or entities of the Committee's decision;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 1 (b) of this resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, directs the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and decides further that the Committee shall only agree to exemptions to the measures in paragraph 1 (b) of this resolution with the agreement of the States of transit and destination, and further directs the Committee, through the Focal Point, to notify such individuals of the Committee's decision;

63. *Decides* that the Focal Point may receive, and transmit to the Committee for its consideration, communications from:

(a) individuals who have been removed from the Al-Qaida Sanctions List;

(b) individuals claiming to have been subjected to the measures outlined in paragraph 1 above as a result of false or mistaken identification or confusion with individuals included on the Al-Qaida Sanctions List;

64. *Directs* the Committee, with the assistance of the Monitoring Team and in consultation with relevant States, to respond, through the Focal Point, to communications referred to in paragraph 63 (b), as may be appropriate, within 60 days;

Review and maintenance of the Al-Qaida Sanctions List

65. *Encourages* all Member States, in particular designating States and States of residence, nationality, location or incorporation, to submit to the Committee additional identifying and other information, including where possible and in accordance with their national legislation,

photographs and other biometric data of individuals along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

66. *Requests* the Monitoring Team to circulate to the Committee every twelve months a list compiled in consultation with the respective designating States and States of residence, nationality, location or incorporation, where known, of:

(a) individuals and entities on the Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them;

(b) individuals on the Al-Qaida Sanctions 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;

(c) entities on the Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information;

(d) any other names on the Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”);

67. *Directs* the Committee to review whether these listings remain appropriate, and *further directs* the Committee to remove listings if it decides they are no longer appropriate;

Coordination and outreach

68. *Directs* the Committee to continue to cooperate with other relevant Security Council Sanctions Committees, in particular that established pursuant to resolution 1988 (2011);

69. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three committees, expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requests the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible;

70. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with the Counter-Terrorism Executive Directorate (CTED) and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

71. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009) 1989 (2011), 2082 (2012), 2083 (2012), and 2133 (2014);

72. *Requests* the Committee to report orally, through its Chair, at least once per year, 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 Chairs of CTC and the Committee established pursuant to resolution 1540 (2004), expresses its intention to hold informal consultations at least once per year on the work of the Committee, on the basis of reports from the Chair to the Council, and further requests the Chair to hold periodic briefings for all interested Member States;

Monitoring Team

73. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of thirty months from the date of expiration of its current mandate in June 2015, under the direction of the Committee with the responsibilities outlined in annex I, and requests the Secretary-General to make the necessary arrangements to this effect, and *highlights the importance* of ensuring that the Monitoring Team receives the necessary administrative support to effectively, safely and in a timely manner fulfil its mandate, including with regard to duty of care in high-risk environments, under the direction of the Committee, a subsidiary organ of the Security Council;

74. *Directs* the Monitoring Team to identify, gather information on, and keep the Committee informed of instances and common patterns of non-compliance with the measures imposed in this resolution, as well as to facilitate, upon request by Member States, assistance on capacity-building, requests the Monitoring Team to work closely with State(s) of residence, nationality, location or incorporation, designating States, other relevant States, and relevant United Nations Missions, and

further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

75. *Directs* the Committee, with the assistance of its Monitoring Team, to hold special meetings on important thematic or regional topics and Member States' capacity challenges, in consultation, as appropriate, with the Counter Terrorism Committee and CTED, CTITF, and with the Financial Action Task Force to identify and prioritize areas for the provision of technical assistance to enable more effective implementation by Member States;

Reviews

76. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months or sooner if necessary;

77. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 73 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following mandates and responsibilities:

(a) To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 September 2014, and the second by 31 March 2015, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution, including by providing updated information on those individuals, groups, undertakings or entities seeking their removal from the Al-Qaida Sanctions List;

(c) To assist the Committee in regularly reviewing names on the Al-Qaida Sanctions List, including by undertaking travel on behalf of the Committee, as a subsidiary organ of the Security Council and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(d) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(e) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coor-

dination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(f) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(g) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(h) To gather information, on behalf of the Committee, on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by collating information from all relevant sources, including Member States, and engaging with related parties, pursuing case studies, both on its own initiative and upon the Committee's request, and to provide cases of non-compliance and recommendations to the Committee on actions to respond to such cases of non-compliance for its review;

(i) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Al-Qaida Sanctions List;

(j) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 36 of this resolution;

(k) To consult with the Committee or any relevant Member States, as appropriate, when identifying that certain individuals or entities should be added to, or removed from, the Al-Qaida Sanctions List;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual;

(m) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(n) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the state of visit where appropriate;

(o) To cooperate closely with relevant United Nations counter-terrorism bodies in providing information on the measures taken by Member States on kidnapping and hostage-taking for ransom by Al-Qaida

and other individuals, groups, undertakings and entities associated with it, and on relevant trends and developments in this area;

(p) To encourage Member States to submit names and additional identifying information for inclusion on the Al-Qaida Sanctions List, as instructed by the Committee;

(q) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Al-Qaida Sanctions List as updated and accurate as possible;

(r) To encourage Member States to provide information to the Monitoring Team that is relevant to the fulfilment of its mandate, as appropriate;

(s) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the best measures to confront it, including by developing, within existing resources, a dialogue with relevant scholars, academic bodies and experts through an annual workshop and/or other appropriate means, in consultation with the Committee;

(t) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, and other individuals, groups, undertakings and entities associated with it; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(u) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be reflected in the Monitoring Team's reports referred to in paragraph (a) of this annex, such as gaps and challenges in States' implementation of the measures in this resolution;

(v) To consult, in confidence, with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen implementation of the measures;

(w) To consult with relevant representatives of the private sector, including financial institutions and relevant non-financial businesses and professions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of the implementation of that measure;

(x) To consult with the relevant representatives of the private sector, in coordination with national authorities, as appropriate, to promote awareness of, and enhance compliance with, the travel ban and the arms embargo;

- (y) To consult with relevant representatives of international organizations, including the International Air Transport Association (IATA), the International Civil Aviation Organization (ICAO), and the World Customs Organization (WCO), to promote awareness of, and enhance compliance with, the travel ban and the arms embargo;
- (z) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;
- (aa) To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;
- (bb) To work with INTERPOL and Member States to obtain photographs and, in accordance with their national legislation, biometric information of listed individuals for possible inclusion in INTERPOL-United Nations Security Council Special Notices, and to work with INTERPOL to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities;
- (cc) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006), and to work with the Secretariat to standardize the format of all United Nations sanctions lists so as to facilitate implementation by national authorities;
- (dd) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;
- (ee) To report periodically, as appropriate, to the Committee on linkages between Al-Qaida and those individuals, groups, undertakings or entities eligible for listing under paragraph 1 of resolution 2082 (2012) or any other relevant sanctions resolutions; and
- (ff) Any other responsibility identified by the Committee.

ANNEX II

In accordance with paragraph 41 of this resolution, 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 Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity (“the petitioner”).

The Council recalls that Member States are not permitted to submit delisting petitions on behalf of an individual, group, undertaking or entity to the Office of the Ombudsperson.

Information gathering (four 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;
 - (d) Inform the petitioner in case the petition fails to properly address the original listing criteria, as set forth in paragraph 2 of this resolution, and return it to the petitioner for his or her consideration; and
 - (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 relevant additional information, return it to the petitioner, with an appropriate explanation, 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 United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within four 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. Where all designating States consulted by the Ombudsperson do not object to the petitioner's delisting, the Ombudsperson may shorten the information gathering period, as appropriate.
4. The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within four 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
- (c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request.

5. At the end of this four-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, and any significant challenges encountered therein. 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)

6. 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 8 below. The Ombudsperson may shorten this time period if he or she assesses less time is required.

7. During this period of engagement, the Ombudsperson:
- (a) May submit questions, either orally or in writing, to the petitioner, 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) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, or any cell, affiliate, splinter group, or derivative thereof, and undertakes not to associate with Al-Qaida in the future;
 - (c) Should meet with the petitioner, to the extent possible;
 - (d) 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;
 - (e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;
 - (f) During the information gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;

(g) In the course of the information gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a state on a confidential basis, without the express written consent of that state; and

(h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating States, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original listing.

8. Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, as appropriate, 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 recommendation, lay out for the Committee the principal arguments concerning the delisting request. The recommendation should state the Ombudsperson's views with respect to the listing as of the time of the examination of the delisting request.

Committee discussion

9. After the Committee has had fifteen days to review the Comprehensive Report in all official languages of the United Nations, the Chair of the Committee shall place the delisting request on the Committee's agenda for consideration.

10. When the Committee considers the delisting request, the Ombudsperson, shall present the Comprehensive Report in person and answer Committee members' questions regarding the request.

11. Committee consideration of the Comprehensive Report shall be completed no later than thirty days from the date the Comprehensive Report is submitted to the Committee for its review.

12. After the Committee has completed its consideration of the Comprehensive Report, the Ombudsperson may notify all relevant States of the recommendation.

13. Upon the request of a designating State, State of nationality, residence, or incorporation, and with the approval of the Committee,

the Ombudsperson may provide a copy of the Comprehensive Report, with any redactions deemed necessary by the Committee, to such States, along with a notification to such States confirming that:

- (a) All decisions to release information from the Ombudsperson's Comprehensive Reports, including the scope of information, are made by the Committee at its discretion and on a case-by-case basis;
- (b) The Comprehensive Report reflects the basis for the Ombudsperson's recommendation and is not attributable to any individual Committee member; and
- (c) The Comprehensive Report, and any information contained therein, should be treated as strictly confidential and not shared with the petitioner or any other Member State without the approval of the Committee.

14. In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures.

15. In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with this annex II, including paragraph 7 (h), unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council.

16. Following the conclusion of the process described in paragraphs 42 and 43 of this resolution, the Committee shall convey to the Ombudsperson, within 60 days, whether the measures described in paragraph 1 are to be retained or terminated, setting out reasons and including any further relevant information, and an updated narrative summary of reasons for listing, where appropriate, for the Ombudsperson to transmit to the petitioner. The 60-day deadline applies to

outstanding matters before the Ombudsperson or the Committee and will take effect from the adoption of this resolution.

17. After the Ombudsperson receives the communication from the committee under paragraph 16, if the measures in paragraph 1 are to be retained, the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, a letter that:

- (a) Communicates the outcome of the petition;
- (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 16 above.

18. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

19. The Ombudsperson may notify the petitioner, as well as those States relevant to a case but which are not members of the Committee, of the stage at which the process has reached.

Other Office of the Ombudsperson Tasks

20. 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;
- (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 39 of this resolution; and
- (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

92. Resolution 2170 (2014)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (THE ISLAMIC STATE IN IRAQ AND THE LEVANT (ISIL)
AND AL NUSRAH FRONT (ANF))

*Adopted by the Security Council at its 7242nd meeting,
on 15 August 2014*

The Security Council,

Reaffirming its resolutions 1267 (1999), 1373 (2001), 1618 (2005), 1624 (2005), 2083 (2012), 2129 (2013), 2133 (2014), 2161 (2014), and its relevant Presidential Statements,

Reaffirming the independence, sovereignty, unity and territorial integrity of the Republic of Iraq and Syrian Arab Republic, and *reaffirming further* the purposes and principles of the Charter of the United Nations,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Expressing its gravest concern that territory in parts of Iraq and Syria is under the control of Islamic State in Iraq and the Levant (ISIL) and Al Nusrah Front (ANF) and about the negative impact of their presence, violent extremist ideology and actions on stability in Iraq, Syria and the region, including the devastating humanitarian impact on the civilian populations which has led to the displacement of millions of people, and about their acts of violence that foment sectarian tensions,

Reiterating its condemnation of ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida for ongoing and multiple criminal terrorist acts aimed at causing the deaths of civilians and other victims, destruction of property and of cultural and religious sites, and greatly undermining stability, and *recalling* that the asset freeze, travel ban and arms embargo requirements in paragraph 1 of resolution 2161 (2014) apply to ISIL, ANF, and all other individuals, groups, undertakings, and entities associated with Al-Qaida,

Reaffirming that terrorism, including the actions of ISIL, cannot and should not be associated with any religion, nationality, or civilization,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Reaffirming that Member States must ensure that any measures taken to combat terrorism, including while implementing this resolution, comply with all their obligations under international law, in particular international human rights, refugee and international humanitarian law, and underscoring that effective counter-terrorism measures and respect for human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing, and are an essential part of a successful counter-terrorism effort, and notes the importance of respect for the rule of law so as to effectively prevent and combat terrorism,

Reaffirming that those who have committed or are otherwise responsible for violations of international humanitarian law or violations or abuses of human rights in Iraq and Syria, including persecution of individuals on the basis of their religion or belief, or on political grounds, must be held accountable,

Gravely concerned by the financing of, and financial and other resources obtained by, ISIL, ANF and all other individuals, groups, undertakings, and entities associated with Al-Qaida, and underscoring that these resources will support their future terrorist activities,

Strongly condemning incidents of kidnapping and hostage-taking committed by ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida for any purpose, including with the aim of raising funds or gaining political concessions, *expressing its determination* to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law, *calling upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages, and *reaffirming* the need for all Member States to cooperate closely during incidents of kidnapping and hostage-taking committed by terrorist groups,

Expressing concern at the flow of foreign terrorist fighters to ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and the scale of this phenomenon,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communication technologies, in particular the Internet, for the purposes of recruitment and incitement to commit terrorist acts, as well as for the financing, planning and preparation of their activities, and underlining the need for Member States to act cooperatively to prevent terrorists from exploiting technology, communications and resources to incite support for terrorist acts, while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

Condemning in the strongest terms the incitement of terrorist acts and *repudiating* attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts,

Underlining the primary responsibility of Member States to protect civilian population on their territories, in accordance with their obligations under international law,

Urging all parties to protect the civilian population, in particular women and children, affected by the violent activities of ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, especially against any form of sexual violence,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, *stressing* in this regard the important role the United Nations plays in leading and coordinating this effort,

Noting with concern the continued threat posed to international peace and security by ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and *reaffirming* its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter of the United Nations,

1. *Deplores and condemns* in the strongest terms the terrorist acts of ISIL and its violent extremist ideology, and its continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law;

2. *Strongly condemns* the indiscriminate killing and deliberate targeting of civilians, numerous atrocities, mass executions and extrajudicial killings, including of soldiers, persecution of individuals and entire communities on the basis of their religion or belief, kidnapping of civilians, forced displacement of members of minority groups, killing and maiming of children, recruitment and use of children, rape and other forms of sexual violence, arbitrary detention, attacks on schools and hospitals, destruction of cultural and religious sites and obstructing the exercise of economic, social and cultural rights, including the right to education, especially in the Syrian governorates of Ar-Raqqa, Deir ez-Zor, Aleppo and Idlib, in northern Iraq, especially in Tamim, Salaheddine and Niniveh provinces;

3. *Recalls* that widespread or systematic attacks directed against any civilian populations because of their ethnic or political background, religion or belief may constitute a crime against humanity, *emphasizes* the need to ensure that ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida are held accountable

for abuses of human rights and violations of international humanitarian law, *urges* all parties to prevent such violations and abuses;

4. *Demands* that ISIL, ANF, and all other individuals, groups, undertakings and entities associated with Al-Qaida cease all violence and terrorist acts, and disarm and disband with immediate effect;

5. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate in efforts to find and bring to justice individuals, groups, undertakings and entities associated with Al-Qaida including ISIL and ANF who perpetrate, organize and sponsor terrorist acts and in this regard *underlines* the importance of regional cooperation;

6. *Reiterates its call* upon all States to take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance perpetrated by individuals or entities associated with ISIL, ANF and Al-Qaida and to prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters;

Foreign Terrorist Fighters

7. *Condemns* the recruitment by ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida of foreign terrorist fighters, whose presence is exacerbating conflict and contributing to violent radicalisation, *demands* that all foreign terrorist fighters associated with ISIL and other terrorist groups withdraw immediately, and *expresses its readiness* to consider listing those recruiting for or participating in the activities of ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida under the Al-Qaida sanctions regime, including through financing or facilitating, for ISIL or ANF, of travel of foreign terrorist fighters;

8. *Calls upon* all Member States to take national measures to suppress the flow of foreign terrorist fighters to, and bring to justice, in accordance with applicable international law, foreign terrorist fighters of, ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, reiterates further the obligation of Member States to prevent the movement of terrorists or terrorist groups, in accordance with applicable international law, by, *inter alia*, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists and financing that would support terrorists;

9. *Encourages* all Member States to engage with those within their territories at risk of recruitment and violent radicalisation to discourage travel to Syria and Iraq for the purposes of supporting or fighting for

ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida;

10. *Reaffirms* its decision that States shall prevent the direct or indirect supply, sale, or transfer to ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities, as well as its calls for States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional and international levels;

Terrorist Financing

11. *Reaffirms* its resolution 1373 (2001) and in particular its decisions that all States shall prevent and suppress the financing of terrorist acts and refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists;

12. *Recalls* its decision in resolution 2161 (2014) that all States shall ensure that no funds, financial assets or economic resources are made available, directly or indirectly for the benefit of ISIL, ANF, or any other individuals, groups, undertakings and entities associated with Al-Qaida, by their nationals or by persons within their territory, and *reaffirms* its decision in resolution 1373 (2001) that all States shall prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, or for the benefit of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons;

13. *Notes with concern* that oilfields and related infrastructure controlled by ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, are generating income which support their recruitment efforts and strengthen their operational capability to organise and carry out terrorist attacks;

14. *Condemns* any engagement in direct or indirect trade involving ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and *reiterates* that such engagement could

constitute financial support for entities designated by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) (“the Committee”) and may lead to further listings by the Committee;

15. *Emphasizes the importance* of all Member States complying with their obligation to ensure that their nationals and persons within their territory do not make donations to individuals and entities designated by the Committee or those acting on behalf of or at the direction of designated entities;

16. *Expresses its concern* that aircraft or other transport departing from territory controlled by ISIL could be used to transfer gold or other valuable items and economic resources for sale on international markets, or to make other arrangements that could result in violations of the asset freeze;

17. *Confirms* that the requirements in paragraph 1 (a) of resolution 2161 (2014) shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List, regardless of how or by whom the ransom is paid;

Sanctions

18. *Observes* that ISIL is a splinter group of Al-Qaida, *recalls* that ISIL and ANF are included on the Al-Qaida sanctions list and in this regard, *expresses its readiness* to consider listing individuals, groups, undertakings and entities providing support to ISIL or to ANF, including those who are financing, arming, planning or recruiting for ISIL or ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida through information and communications technologies including the internet and social media or through any other means;

19. *Decides* that the individuals specified in the annex to this resolution shall be subject to the measures imposed in paragraph 1 of resolution 2161 (2014) and added to the Al-Qaida Sanctions List;

20. *Directs* the Committee to make accessible on the Committee’s website the narrative summaries of reasons for listing the individuals specified in the annex to this resolution as agreed by the Council and *confirms* that the provisions of resolution 2161 (2014) and subsequent relevant resolutions shall apply to the names specified in the annex for so long as they remain on the Al-Qaida Sanctions List;

21. *Encourages* the submission of listing requests to the Committee by Member States of individuals and entities supporting ISIL, ANF, and all other individuals, groups, undertakings and entities associated with Al-Qaida and *further encourages* the Committee to urgently consider additional designations of individuals and entities supporting ISIL and ANF;

Reporting

22. *Directs* the Monitoring Team to submit a report to the Committee within 90 days on the threat, including to the region, posed by ISIL and ANF, their sources of arms, funding, recruitment and demographics, and recommendations for additional action to address the threat and *requests* that, after a Committee discussion of this report, the chair of the Committee to brief the Security Council on its principal findings;

23. *Requests* UNAMI, within its mandate, capabilities, and its areas of operation, to assist the Committee and the Analytical Support and Sanctions Monitoring Team established by resolution 1526 (2004), including by passing information relevant to the implementation of the measures in paragraph 1 of resolution 2161 (2014);

24. *Decides* to remain seized of this matter.

93. Resolution 2199 (2015)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (ADDRESSING ADDITIONAL MEASURES TO DISRUPT OIL TRADE BY ISLAMIC STATE IN IRAQ AND THE LEVANT (ISIL, ALSO KNOWN AS DAESH), AL-NUSRAH FRONT (ANF) AND ALL OTHER INDIVIDUALS, GROUPS, UNDERTAKINGS AND ENTITIES ASSOCIATED WITH AL-QAIDA, AS A SOURCE OF TERRORISM FINANCING)

*Adopted by the Security Council at its 7379th meeting,
on 12 February 2015*

The Security Council,

Reaffirming its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations,

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee, and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role the United Nations plays in leading and coordinating this effort,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security including countering terrorism, and *underlining* the importance of prompt and effective implementation of relevant resolutions, in particular Security Council resolutions 1267 (1999) and 1989 (2011) as key instruments in the fight against terrorism,

Recalling its Resolutions 1267 (1999), 1989 (2011), 2161 (2014), 2170 (2014), and 2178 (2014) and its Presidential Statements of 28 July 2014 and 19 November 2014, including its stated intention to consider additional measures to disrupt oil trade by Islamic State in Iraq and the Levant (ISIL, also known as Daesh), Al-Nusrah Front (ANF) and all other individuals, groups, undertakings and entities associated with Al-Qaida, as a source of terrorism financing,

Recognizing the importance of the role that financial sanctions play in disrupting ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and emphasizing also the

need for a comprehensive approach to fully disrupt ISIL and ANF that integrates multilateral strategies with national action by Member States,

Reaffirming the independence, sovereignty, unity and territorial integrity of the Republic of Iraq and the Syrian Arab Republic, and reaffirming further the purposes and principles of the Charter of the United Nations,

Reaffirming also that terrorism cannot and should not be associated with any religion, nationality, or civilization,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Expressing, in this regard, its deep appreciation for Arab League Resolution 7804 (7 September 2014), the Paris Statement (15 September 2014), the FATF statement on countering the financing of ISIL (24 October 2014) and the Manama declaration on countering terrorist finance (9 November 2014),

Reaffirming its resolution 1373 (2001) and in particular its decisions that all States shall prevent and suppress the financing of terrorist acts and refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists,

Recognizing the significant need to build capacities of Member States to counter terrorism and terrorist finance,

Reiterating its deep concern that oilfields and their related infrastructure, as well as other infrastructure such as dams and power plants, controlled by ISIL, ANF and potentially other individuals, groups, undertakings and entities associated with Al-Qaida, are generating a significant portion of the groups' income, alongside extortion, private foreign donations, kidnap ransoms and stolen money from the territory they control, which support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks,

Condemning in the strongest terms abductions of women and children, *expressing outrage* at their exploitation and abuse, including rape, sexual abuse, forced marriage, committed by ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida, and encouraging all state and non-state actors with evidence to bring it to the attention of the Council, along with any information that human trafficking may support the perpetrators financially,

Reaffirming the obligation of Member States to freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts or participate in or

facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities,

Expressing its concern that economic resources such as oil, oil products, modular refineries and related material, other natural resources including precious metals such as gold, silver, and copper, diamonds, and any other assets are made available to ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida, and noting that direct or indirect trade with ISIL and ANF in such materials could constitute a violation of the obligations imposed by resolution 2161 (2014),

Reminding all States of their obligation to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice,

Reaffirming its decision 2133 (2014) and *noting again* that ransom payments to terrorist groups are one of the sources of income which supports their recruitment efforts, strengthens their operational capability to organize and carry out terrorist attacks, and incentivizes future incidents of kidnapping for ransom,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters, of new information and communications technologies, in particular the Internet, to facilitate terrorist acts, as well as their use to incite, recruit, fund or plan terrorist acts,

Expressing grave concern at the increased incidents of kidnapping and hostage-murdering committed by ISIL, and condemning those heinous and cowardly murders which demonstrate that terrorism is a scourge impacting all of humanity and people from all regions and religions or belief,

Welcoming the report on ANF and ISIL from the Analytical Support and Sanctions Monitoring Team, published on 14 November 2014, and *taking note* of its recommendations,

Noting with concern the continued threat posed to international peace and security by ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and reaffirming its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter of the United Nations,

Oil Trade

1. *Condemns* any engagement in direct or indirect trade, in particular of oil and oil products, and modular refineries and related material, with ISIL, ANF and any other individuals, groups, undertakings and

entities designated as associated with Al-Qaida by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011), and *reiterates* that such engagement would constitute support for such individuals, groups, undertakings and entities and may lead to further listings by the Committee;

2. *Reaffirms* that States are required by resolution 2161 (2014) to ensure that their nationals and those in their territory not make assets or economic resources, directly or indirectly, available to ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and *notes* that this obligation applies to the direct and indirect trade in oil and refined oil products, modular refineries and related material;

3. *Reaffirms* that States are required by resolution 2161 (2014) to freeze without delay the funds and other financial assets or economic resources of ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction;

4. *Reaffirms* that States are required by resolution 2161 (2014) to ensure that no funds, other financial assets or economic resources are made available, directly or indirectly, by their nationals or by persons within their territory for the benefit of ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida;

5. *Recalls* that funds and other financial assets or economic resources made available to or for the benefit of listed individuals or entities are not always held directly by them, and *recalls* in addition that in identifying such funds and benefits, States should be alert to the possibility that property owned or controlled indirectly by the listed party may not be immediately visible;

6. *Confirms* that economic resources include oil, oil products, modular refineries and related material, other natural resources, and any other assets which are not funds but which potentially may be used to obtain funds, goods or services;

7. *Emphasizes* therefore that States are required by UN Security Council resolution 2161 (2014) to freeze without delay funds, other financial assets and economic resources of ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida, including oil, oil products, modular refineries and related material and other natural resources owned or controlled by them, or persons acting on their behalf or at their direction, as well as any funds or negotiable benefit arising from such economic resources;

8. *Recognizes* the need to take measures to prevent and suppress the financing of terrorism, individual terrorists, and terrorist organizations, including from the proceeds of organized crime, *inter alia*, the

illicit production and trafficking of drugs and their chemical precursors, and the importance of continued international cooperation to that aim;

9. *Emphasizes* that States are required to ensure that their nationals and persons in their territory not make available, directly or indirectly, any funds, other financial assets or economic resources, including oil, oil products, modular refineries and related material and other natural resources that are identified as directed to, collected for, or otherwise for the benefit of ISIL, ANF, and other individuals, groups, undertakings and entities associated with Al-Qaida, as well as any funds or negotiable benefit arising from such economic resources;

10. *Expresses concern* that vehicles, including aircraft, cars and trucks and oil tankers, departing from or going to areas of Syria and Iraq where ISIL, ANF or any other groups, undertakings and entities associated with Al-Qaida operate, could be used to transfer oil and oil products, modular refineries and related material, cash, and other valuable items including natural resources such as precious metals and minerals like gold, silver, copper and diamonds, as well as grain, livestock, machinery, electronics, and cigarettes by or on behalf of such entities for sale on international markets, for barter for arms, or for use in other ways that would result in violations of the asset freeze or arms embargo in paragraph 1 of resolution 2161 (2014) and *encourages* Member States to take appropriate steps in accordance with international law to prevent and disrupt activity that would result in violations of the asset freeze or targeted arms embargo in paragraph 1 of resolution 2161 (2014);

11. *Reaffirms* that all States shall ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice and ensure that such terrorist acts are established as serious criminal offenses in domestic laws and regulations and that the punishment duly reflects the seriousness of such terrorist acts, and *emphasizes* that such support may be provided through trade in oil and refined oil products, modular refineries and related material with ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida;

12. *Decides* that Member States shall inform the 1267/1989 Committee within 30 days of the interdiction in their territory of any oil, oil products, modular refineries, and related material being transferred to or from ISIL or ANF, and *calls upon* Member States to report to the Committee the outcome of proceedings brought against individuals and entities as a result of such activity;

13. *Encourages* the submission of listing requests to the Committee by Member States of individuals and entities engaged in oil trade-related activities with ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida and directs the 1267/1989 Al-Qaida Sanctions Committee to immediately consider

designations of individuals and entities engaged in oil trade-related activities with ISIL, the ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida;

14. *Calls upon* Member States to improve international, regional, and subregional cooperation, including through increased sharing of information for the purpose of identifying smuggling routes used by ISIL and ANF, and for Member States to consider provision of technical assistance and capacity building to assist other Member States to counter smuggling of oil and oil products, and modular refineries and related material, by ISIL, ANF and any other individual, group, undertaking or entity associated with Al-Qaida;

Cultural Heritage

15. *Condemns* the destruction of cultural heritage in Iraq and Syria particularly by ISIL and ANF, whether such destruction is incidental or deliberate, including targeted destruction of religious sites and objects;

16. *Notes with concern* that ISIL, ANF and other individuals, groups, undertakings and entities associated with Al-Qaida, are generating income from engaging directly or indirectly in the looting and smuggling of cultural heritage items from archaeological sites, museums, libraries, archives, and other sites in Iraq and Syria, which is being used to support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks;

17. *Reaffirms* its decision in paragraph 7 of resolution 1483 (2003) and *decides* that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people and *calls upon* the United Nations Educational, Scientific, and Cultural Organization, Interpol, and other international organizations, as appropriate, to assist in the implementation of this paragraph;

Kidnapping for Ransom and External Donations

18. *Reaffirms its condemnation of* incidents of kidnapping and hostage-taking committed by ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida for any purpose, including with the aim of raising funds or gaining political concessions and *expresses its determination* to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law;

19. *Reaffirms* that the requirements of paragraph 1 (a) of resolution 2161 (2014) apply to the payment of ransoms to individuals, groups, undertakings or entities on the Al-Qaida Sanctions List, regardless of how or by whom the ransom is paid, *emphasizes* that this obligation applies to ISIL and ANF, and *calls upon* all Member States to encourage private sector partners to adopt or to follow relevant guidelines and good practices for preventing and responding to terrorist kidnappings without paying ransom;

20. *Reiterates* its *call upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages, and *reaffirms* the need for all Member States to cooperate closely during incidents of kidnapping and hostage-taking committed by terrorist groups;

21. *Expresses its grave concern* of reports that external donations continue to make their way to ISIL, ANF and other individuals, groups, undertakings and entities associated with Al-Qaida, and *recalls the importance* of all Member States complying with their obligation to ensure that their nationals and persons within their territory do not make donations to individuals and entities designated by the Committee or those acting on behalf of or at the direction of designated entities;

22. *Stresses* that donations from individuals and entities have played a role in developing and sustaining ISIL and ANF, and that Member States have an obligation to ensure that such support is not made available to those terrorist groups and other individuals, groups, undertakings and entities associated with Al-Qaida by their nationals and persons within their territory, and urges Member States to address this directly through enhanced vigilance of the international financial system and by working with their non-profit and charitable organizations to ensure financial flows through charitable giving are not diverted to ISIL, ANF or any other individuals, groups, undertakings and entities associated with Al-Qaida;

Banking

23. *Urges* Member States to take steps to ensure that financial institutions within their territory prevent ISIL, ANF or other individuals, groups, undertakings or entities associated with Al-Qaida from accessing the international financial system;

Arms and related materiel

24. *Reaffirms* its decision that States shall prevent the direct or indirect supply, sale, or transfer to ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida from their territories or by their nationals outside their territories, or using

their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities, as well as its calls for States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional and international levels;

25. *Expresses concern* at the proliferation of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, to ISIL, ANF and all other individuals, groups, undertakings and entities associated with Al-Qaida, and its potential impact on regional and international peace and security and impeding efforts to combat terrorism in some cases;

26. *Reminds* Member States of their obligation pursuant to paragraph 1 (c) of resolution 2161 (2014), to prevent the direct or indirect supply, sale or transfer of arms and related materiel of all types to listed individuals and entities, including ISIL and ANF;

27. *Calls upon* all States to consider appropriate measures to prevent the transfer of all arms and related materiel of all types, in particular man-portable surface-to-air missiles, if there is a reasonable suspicion that such arms and related materiel would be obtained by ISIL, the ANF or other individuals, groups, undertakings and entities associated with Al-Qaida;

Asset Freeze

28. *Reaffirms* that the requirements in paragraph 1 (a) of Security Council resolution 2161 apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida and other individuals, groups, undertakings or entities included on the Al-Qaida Sanctions List;

Reporting

29. *Calls upon* Member States to report to the Committee within 120 days on the measures they have taken to comply with the measures imposed in this resolution;

30. *Requests* the Analytical Support and Sanctions Monitoring Team, in close cooperation with other United Nations counter-terrorism bodies to conduct an assessment of the impact of these new measures and to report to the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) within 150 days, and thereafter to incorporate reporting on the impact of these new measures into their reports to the Committee in order to track progress on implementation, identify

unintended consequences and unexpected challenges, and to help facilitate further adjustments as required, and further requests the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) to update the Security Council on the implementation of this resolution as part of its regular oral reports to the Council on the state of the overall work of the Committee and the Monitoring Team;

31. *Decides* to remain actively seized of the matter.

94. Resolution 2253 (2015)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE SANCTIONS REGIME RELATING TO THE 1267/1989 AL-QAIDA SANCTIONS COMMITTEE (RENAMED THE “1267/1989/2253 ISIL (DA’ESH) AND AL-QAIDA SANCTIONS COMMITTEE”) AND EXTENSION OF THE MANDATE OF THE OFFICE OF THE OMBUDSPERSON)

*Adopted by the Security Council at its 7587th meeting,
on 17 December 2015*

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), 2133 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2214 (2015), and 2249 (2015),

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed, and reiterating its unequivocal condemnation of the Islamic State in Iraq and the Levant (ISIL, also known as Da’esh), Al-Qaida, and associated individuals, groups, undertakings, and entities for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property, and greatly undermining stability,

Recognizing that terrorism poses a threat to international peace and security and that countering this threat requires collective efforts on national, regional and international levels on the basis of respect for international law and the Charter of the United Nations,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, or civilization,

Expressing its gravest concern about the presence, violent extremist ideology and actions of ISIL, Al-Qaida, and their affiliates in the Middle East and North Africa and beyond,

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Recalling the Presidential Statements of the Security Council on threats to international peace and security caused by terrorist acts of

15 January 2013 (S/PRST/2013/1), of 28 July 2014 (S/PRST/2014/14), of 19 November 2014 (S/PRST/2014/23), of 29 May 2015 (S/PRST/2015/11), and of 28 July 2015 (S/PRST/2015/14),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights law, international refugee law, and international humanitarian law, threats to international peace and security caused by terrorist acts, *stressing* in this regard the important role the United Nations plays in leading and coordinating this effort,

Recognizing that development, security, and human rights are mutually reinforcing and are vital to an effective and comprehensive approach to countering terrorism, and *underlining* that a particular goal of counter-terrorism strategies should be to ensure sustainable peace and security,

Reaffirming its resolution 1373 (2001) and in particular its decisions that all States shall prevent and suppress the financing of terrorist acts and refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, including in support of countering terrorism, and *stressing* in this regard the need for robust implementation of the measures in paragraph 2 of this resolution,

Recalling that ISIL is a splinter group of Al-Qaida, and *recalling* further that any individual, group, undertaking, or entity supporting ISIL or Al-Qaida is eligible for listing,

Condemning the frequent, recent terrorist attacks perpetrated by ISIL around the world resulting in numerous casualties, *recognizing* the need for sanctions to reflect current threats and, in this regard, *recalling* paragraph 7 of resolution 2249,

Reminding all States that they have an obligation to take the measures described in paragraph 2 with respect to all individuals, groups, undertakings, and entities included on the list created pursuant to resolutions 1267 (1999), 1333 (2000), 1989 (2011), 2083 (2012), and 2161 (2014) (now and hereunder referred to as the “ISIL (Da’esh) & Al-Qaida Sanctions List”), regardless of the nationality or residence of such individuals, groups, undertakings, or entities,

Urging all Member States to participate actively in maintaining and updating the ISIL (Da'esh) & Al-Qaida Sanctions List by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings, and entities which should be subject to the measures referred to in paragraph 2 of this resolution,

Reminding the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) ("the Committee") to remove expeditiously and on a case-by-case basis individuals, groups, undertakings, and entities that no longer meet the criteria for listing outlined in this resolution, *welcoming* improvements to the Committee's procedures and the format of the ISIL (Da'esh) & Al-Qaida Sanctions List, *expressing* its intent to continue efforts to ensure that procedures are fair and clear, and *recognizing* the challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 2 of this resolution,

Recognizing the importance of building capacities of Member States to counter terrorism and terrorist financing,

Welcoming again the establishment of the Office of the Ombudsperson pursuant to resolution 1904 (2009) and the enhancement of the Ombudsperson's mandate in resolutions 1989 (2011), 2083 (2012), and 2161 (2015), *noting* the Office of the Ombudsperson's significant contribution in providing additional fairness and transparency, and *recalling* the Security Council's firm commitment to ensuring that the Office of the Ombudsperson is able to continue to carry out its role effectively and independently, in accordance with its mandate,

Welcoming the Ombudsperson's biannual reports to the Security Council, including the reports submitted on 21 January 2011, 22 July 2011, 20 January 2012, 30 July 2012, 31 January 2013, 31 July 2013, 31 January 2014, 31 July 2014, and 2 February 2015,

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, and all other United Nations bodies, and *strongly encouraging* further engagement with the United Nations Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Recalling its resolutions 2199 (2015) and 2133 (2014) strongly condemning kidnapping and hostage-taking committed by terrorist groups for any purpose, including with the aim of raising funds or gaining political concessions, expressing its determination to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions in accordance with applicable international law, *reiterating its call upon* all Member States to prevent terrorists from benefiting directly or

indirectly from ransom payments or from political concessions and to secure the safe release of hostages, and welcoming the endorsement by the Global Counterterrorism Forum (GCTF) in September 2015 of the “Addendum to the Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists”,

Gravely concerned that in some cases ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities continue to profit from involvement in transnational organized crime, and *expressing concern* that terrorists benefit from transnational organized crime in some regions, including from the trafficking of arms, persons, drugs, and artefacts, and from the illicit trade in natural resources including gold and other precious metals and stones, minerals, wildlife, charcoal and oil, as well as from kidnapping for ransom and other crimes including extortion and bank robbery,

Recognizing the need to take measures to prevent and suppress the financing of terrorism, terrorist organizations, and individual terrorists even in the absence of a link to a specific terrorist act, including from the proceeds of organized crime, *inter alia*, the illicit production and trafficking of drugs and their chemical precursors, and recalling paragraph 5 of resolution 1452,

Recognizing the need for Member States to prevent the abuse of non-governmental, non-profit and charitable organizations by and for terrorists, and *calling upon* non-governmental, non-profit, and charitable organizations to prevent and oppose, as appropriate, attempts by terrorists to abuse their status, while recalling the importance of fully respecting the rights to freedom of expression and association of individuals in civil society and freedom of religion or belief, and *welcoming* the relevant updated Best Practices Paper issued by the Financial Action Task Force for the appropriate, risk-based implementation of the international standard related to preventing terrorist abuse of the non-profit sector,

Recalling its decision that Member States shall eliminate the supply of weapons, including small arms and light weapons, to terrorists, as well as its calls on States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional, and international levels,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters, of new information and communications technologies, in particular the Internet, to facilitate terrorist acts, and *condemning* their use to incite, recruit, fund, or plan terrorist acts,

Expressing concern at the flow of international recruits to ISIL, Al-Qaida, and associated groups and the scale of this phenomenon, and *recalling* its resolution 2178 (2014) deciding that Member States shall, consistent with international human rights law, international refugee

law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting, or equipping of foreign terrorist fighters and the financing of their travel and of their activities,

Reiterating the obligation of Member States to prevent the entry into or transit through their territories of any individual about whom that State has credible information that provides reasonable grounds to believe that he or she is seeking entry into or transit through their territory for the purpose of participating in the foreign terrorist fighter-related activities described in paragraph 6 of resolution 2178 (2014), and *reiterating* further the obligation of Member States to prevent the movement of terrorist groups, in accordance with applicable international law, by, *inter alia*, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists, and financing that would support terrorists,

Condemning any engagement in direct or indirect trade, in particular of oil and oil products, modular refineries, and related materiel including chemicals and lubricants, with ISIL, ANF, and associated individuals, groups, undertakings, and entities designated by the Committee pursuant to resolutions 1267 (1999) and 1989 (2011), and *reiterating* that such engagement would constitute support for such individuals, groups, undertakings, and entities and may lead to further listings by the Committee,

Condemning the destruction of cultural heritage in Iraq and Syria particularly by ISIL and ANF, including targeted destruction of religious sites and objects; and *recalling its decision* that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people,

Recalling its resolution 2178 (2014) expressing concern with the continued threat posed to international peace and security by ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities, and *reaffirming* its resolve to address all aspects of that threat, including terrorist acts perpetrated by foreign terrorist fighters,

Condemning in the strongest terms abductions of women and children by ISIL, ANF, and associated individuals, groups, undertakings, and entities and recalling resolution 2242 (2015), *expressing* outrage at their exploitation and abuse, including rape, sexual violence, forced marriage, and enslavement by these entities, *encouraging* all State and non-state actors with evidence to bring it to the attention of the Council, along with any information that such human trafficking may support

the perpetrators financially, *emphasizing* that this resolution requires States to ensure that their nationals and persons within their territory do not make available any funds, financial assets or economic resources for ISIL's benefit, and *noting* that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the Committee,

Welcoming the efforts of the Secretariat to standardize the format of all United Nations sanctions lists to facilitate implementation by national authorities, further *welcoming* the Secretariat's efforts to translate all list entries and narrative summaries of reasons for listing available in all official languages of the United Nations, and *encouraging* the Secretariat, with the assistance of the Monitoring Team, as appropriate, to continue its work to implement the data model approved by the Committee,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that, from the date of adoption of this resolution, the 1267/1989 Al-Qaida Sanctions Committee shall henceforth be known as the "1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee" and the Al-Qaida Sanctions List shall henceforth be known as the "ISIL (Da'esh) and Al-Qaida Sanctions List";

2. *Decides* that all States shall take the following measures as previously imposed by paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), and paragraphs 1 and 4 of resolution 1989 (2011), with respect to ISIL (also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities:

Asset Freeze

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

Travel Ban

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply

where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

Arms Embargo

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

Listing Criteria

3. *Decides* that acts or activities indicating that an individual, group, undertaking or entity is associated with ISIL or Al-Qaida and therefore eligible for inclusion in the ISIL (Da'esh) & Al-Qaida Sanctions List include:

- (a) Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;
- (b) Supplying, selling or transferring arms and related materiel to;
- (c) Recruiting for; or otherwise supporting acts or activities of Al-Qaida, ISIL, or any cell, affiliate, splinter group or derivative thereof;

4. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors;

5. *Confirms* that any individual, group, undertaking or entity either owned or controlled, directly or indirectly, by, or otherwise supporting, any individual, group, undertaking or entity associated with Al-Qaida or ISIL, including on the ISIL (Da'esh) & Al-Qaida Sanctions List, shall be eligible for listing;

6. *Confirms* that the requirements in paragraph 2 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting and related services, used for the support of Al-Qaida, ISIL, and other individuals, groups, undertakings or entities included on the ISIL (Da'esh) & Al-Qaida Sanctions List;

7. *Confirms* that the requirements in paragraph 2 (a) above apply to funds, financial assets or economic resources that may be made available, directly or indirectly, to or for the benefit of listed individuals in

connection with their travel, including costs incurred with respect to transportation and lodging, and that such travel-related funds, other financial assets or economic resources may only be provided in accordance with the exemption procedures set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and in paragraphs 10, 74 and 75 below;

8. *Confirms further* that the requirements in paragraph 2 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the ISIL (Da'esh) & Al-Qaida Sanctions List, regardless of how or by whom the ransom is paid;

9. *Reaffirms* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 2 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 2 above and are frozen;

10. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 2 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), *confirms* that exemptions to the travel ban must be submitted by Member States, individuals or the Ombudsperson, as appropriate, including when listed individuals travel for the purpose of fulfilling religious obligations, and *notes* that the Focal Point mechanism established in resolution 1730 (2006) may receive exemption requests submitted by, or on behalf of, an individual, group, undertaking or entity on the ISIL (Da'esh) & Al-Qaida Sanctions List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 76 below;

Measures implementation

11. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 2 above;

12. *Reaffirms* that those responsible for committing, organizing, or supporting terrorist acts must be held accountable, *recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, *underlines* the importance of fulfilling this obligation with respect to such investigations or proceedings involving ISIL, Al-Qaida and associated individuals, groups, undertakings and entities, and *urges* Member States to provide full coordination in such investigations or proceedings, especially with those States where,

or against whose citizens, terrorist acts are committed, in accordance with their obligations under international law, in order to find and bring to justice, extradite, or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by ISIL, Al-Qaida and associated individuals, groups, undertakings and entities;

13. *Reiterates* Member States' obligation to ensure that their nationals and persons in their territory not make available economic resources to ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities, *recalls also* that this obligation applies to the direct and indirect trade in oil and refined oil products, modular refineries, and related material including chemicals and lubricants, and other natural resources, and *recalls further* the importance of all Member States complying with their obligation to ensure that their nationals and persons within their territory do not make donations to individuals and entities designated by the Committee or those acting on behalf of or at the direction of designated individuals or entities;

14. *Encourages* all Member States to more actively submit to the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) listing requests of individuals and entities supporting ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, and directs the Committee to immediately consider, in accordance with its resolution 2199 (2015), designations of individuals and entities engaged in financing, supporting, facilitating acts or activities, including in oil and antiquities trade-related activities with ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities;

15. *Expresses* increasing concern about the lack of implementation of resolutions 1267 (1999), 1989 (2011), and 2199 (2015), including the insufficient level of reporting by Member States to the Committee on the measures they have taken to comply with its provisions and *calls upon* Member States to take the necessary measures to fulfil their obligation under paragraph 12 of resolution 2199 to report to the Committee interdictions in their territory of any oil, oil products, modular refineries, and related material being transferred to or from ISIL or ANF, and *calls upon* Member States to report also such interdictions of antiquities, as well as the outcome of proceedings brought against individuals and entities as a result of any such activity;

16. *Strongly urges* all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force's (FATF) revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation, particularly Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing; to apply the elements in FATF's Interpretive Note to Recommendation 6, with the final objective of effectively

preventing terrorists from raising, moving and using funds, in line with the objectives of Immediate Outcome 10 of the FATF methodology; to take note of, *inter alia*, related best practices for effective implementation of targeted financial sanctions related to terrorism and terrorist financing and the need to have appropriate legal authorities and procedures to apply and enforce targeted financial sanctions that are not conditional upon the existence of criminal proceedings; and to apply an evidentiary standard of proof of “reasonable grounds” or “reasonable basis”, as well as the ability to collect or solicit as much information as possible from all relevant sources;

17. *Welcomes* the recent FATF reports on the Financing of the Terrorist Organization ISIL (published February 2015) and Emerging Terrorist Financing Risks (published October 2015) that includes discussion of the ISIL threat, *welcomes* further the FATF clarifications to Interpretive Note to Recommendation 5 on the criminalization of terrorist financing to incorporate the relevant element of resolution 2178 (2014), specifically clarifying that terrorist financing includes the financing of the travel of individuals who travel or attempt to travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and *highlights* that FATF Recommendation 5 applies to the financing of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act;

18. *Encourages* FATF to continue its efforts to prioritize countering terrorist financing, in particular identifying and working with Member States with strategic anti-money laundering and countering terrorist financing (AML/CFT) deficiencies that have hindered Member States from effectively countering the financing of terrorism, including by ISIL, Al-Qaida, and associated individuals, group, entities and undertakings, and in this regard, *reiterates* that the provision of economic resources to such groups is a clear violation of this and other relevant resolutions and is not acceptable;

19. *Clarifies* that the obligation in paragraph 1 (*d*) of resolution 1373 (2001) applies to making funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act;

20. *Calls upon* States to ensure that they have established as a serious criminal offence in their domestic laws and regulations the wilful violation of the prohibition described in paragraph 1 (*d*) of resolution 1373 (2001);

21. *Calls upon* Member States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List, as required by paragraph 2 (a), and *taking into account* relevant FATF Recommendations and international standards designed to prevent the abuse of non-profit organizations, formal as well as informal/alternative remittance systems and the physical trans-border movement of currency, while working to mitigate the impact on legitimate activities through these mediums;

22. *Urges* Member States to act cooperatively to prevent terrorists from recruiting, to counter their violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter narratives, while respecting human rights and fundamental freedoms and in compliance with obligations under international law, and *stresses* the importance of cooperation with civil society and the private sector in this endeavour;

23. *Urges* Member States to promote awareness of the ISIL (Da'esh) & Al-Qaida Sanctions List as widely as possible, including to relevant domestic agencies, the private sector and the general public to ensure effective implementation of the measures in paragraph 2 above and *encourages* Member States to urge that their respective company, property and other relevant public and private registries regularly screen their available databases, including but not limited to those with legal and/or beneficial ownership information, against the ISIL (Da'esh) & Al-Qaida Sanctions List;

24. *Highlights* the importance of strong relationships with the private sector in countering the financing of terrorism and *calls upon* Member States to engage with financial institutions and share information on terrorist financing (TF) risks to provide greater context for their work in identifying potential TF activity related to ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, and to promote stronger relationships between governments and the private sector in countering terrorist financing;

25. *Recognizes* the importance of information sharing within and between governments to effectively counter the financing of terrorism, *calls upon* Member States to continue exercising vigilance over relevant financial transactions and improve information-sharing capabilities and practices within and between governments through multiple authorities and channels, including law enforcement, intelligence, security services, and financial intelligence units, and also *calls upon* Member States to improve integration and utilization of financial intelligence with other types of information available to national governments to more effectively counter the terrorist financing threats posed by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities;

26. *Decides* that Member States, in order to prevent ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities from obtaining, handling, storing, using or seeking access to all types of explosives, whether military, civilian or improvised explosives, as well as to raw materials and components that can be used to manufacture improvised explosive devices or unconventional weapons, including (but not limited to) chemical components, detonators, detonating cord, or poisons, shall undertake appropriate measures to promote the exercise of enhanced vigilance by their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and storage of such materials, including through the issuance of good practices, and *further encourages* Member States to share information, establish partnerships, and develop national strategies and capabilities to counter improvised explosive devices;

27. *Encourages* Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues;

28. *Urges* all Member States, in their implementation of the measures set out in paragraph 2 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

29. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

30. *Encourages* Member States that issue travel documents to listed individuals to note, as appropriate, that the bearer is subject to the travel ban and corresponding exemption procedures;

31. *Encourages* Member States to consult the ISIL (Da'esh) & Al-Qaida Sanctions List when considering whether to grant travel visa applications, for the purpose of effectively implementing the travel ban;

32. *Encourages* Member States to exchange information expeditiously with other Member States, in particular States of origin, destination and transit, when they detect the travel of individuals on the ISIL (Da'esh) & Al-Qaida Sanctions List;

33. *Encourages* designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed a listed party's

case and whether any judicial proceedings have begun, and to include any other relevant information when submitting the standard form for listing;

34. *Encourages* all Member States to designate national focal points in charge of liaising with the Committee and the Monitoring Team on issues related to the implementation of the measures described in paragraph 2 above and the assessment of the threat from ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities;

35. *Encourages* all Member States to report to the Committee on obstacles to the implementation of the measures described in paragraph 2 above, with a view to facilitating technical assistance;

36. *Calls upon* all States to submit an updated report to the Committee no later than 120 days from the date of adoption of this resolution on their implementation, including relevant enforcement actions as appropriate, of the measures referred to in paragraph 2 of this resolution;

The Committee

37. *Directs* the Committee to continue to ensure that fair and clear procedures exist for placing individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List and for removing them as well as for granting exemptions per resolution 1452 (2002), and *directs* the Committee to keep its guidelines under active review in support of these objectives;

38. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of this resolution, in particular paragraphs 23, 26, 30, 31, 34, 47, 52, 57, 59, 64, 77, 78, 80 and 81;

39. *Requests* the Committee to report to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation;

40. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 2 above and to determine the appropriate course of action on each case, and directs the Chair, in regular reports to the Council pursuant to paragraph 87 below, to provide progress reports on the Committee's work on this issue;

41. *Confirms* that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines;

42. *Requests* the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

Listing

43. *Encourages* all Member States to submit to the Committee for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities;

44. *Reiterates* that the measures referred to in paragraph 2 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law;

45. *Reaffirms* that, when proposing names to the Committee for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List, Member States shall use the standard form for listing and provide a statement of case that should include as detailed and specific reasons as possible describing the proposed basis for the listing, and as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings, and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and *reaffirms* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 49 below;

46. *Reaffirms* that Member States proposing a new listing, as well as Member States that have proposed names for inclusion on the Al-Qaida Sanctions List before the adoption of this resolution, shall specify if the Committee or the Ombudsperson may not make known the Member State's status as a designating State;

47. *Encourages* Member States to submit, where available and in accordance with their national legislation, photographs and other biometric data of individuals for inclusion in INTERPOL-United Nations Security Council Special Notices;

48. *Directs* the Committee to continue to update, as necessary, the standard form for listing in accordance with the provisions of this resolution; further *directs* the Monitoring Team to report to the Committee on further steps that could be taken to improve the quality of the ISIL (Da'esh) & Al-Qaida Sanctions List and Consolidated Sanctions List, including by improving identifying information, as well as steps to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities; and further *directs* the Secretariat, with the assistance of the Monitoring Team, to build and maintain the data model approved by the Committee, with a view to its completion by June 2017 and *requests* the Secretary-General to provide additional resources in this regard;

49. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the ISIL (Da'esh) & Al-Qaida Sanctions List, a narrative summary of reasons for listing that are as detailed and specific as possible, as well as additional relevant information;

50. *Encourages* Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

51. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on listing and provide additional material for the narrative summary of reasons for listing described in paragraph 49;

52. *Reaffirms* that the Secretariat shall, after publication but within three working days after a name is added to the ISIL (Da'esh) & Al-Qaida Sanctions List, notify the Permanent Mission of the State or States where the individual or entity is believed to be located and, in the case of individuals, the state of which the person is a national (to the extent this information is known), *requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the ISIL (Da'esh) & Al-Qaida Sanctions List;

53. *Reaffirms* the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the listing and to include with this notification the narrative summary of reasons for listing, a description of the effects of listing, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 43 of resolution 2083 (2012) and annex II of this resolution, and the provisions of resolution 1452 (2002) regarding available exemptions, including the possibility of submitting such requests through the Focal Point mechanism in accordance with paragraphs 10 and 76 of this resolution;

Review of Delisting Requests—Ombudsperson/Member States

54. *Decides* to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II of this resolution, for a period of twenty four

months from the date of expiration of the Office of the Ombudsperson's current mandate in December 2017, *affirms* that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the ISIL (Da'esh) & Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any government, and *affirms* that the Ombudsperson shall continue to present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the ISIL (Da'esh) & Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting;

55. *Recalls* its decision that the requirement for States to take the measures described in paragraph 2 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the Comprehensive Report of the Ombudsperson on a delisting request pursuant to annex II;

56. *Recalls* its decision that the requirement for States to take the measures described in paragraph 2 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II of this resolution, including paragraph 7 (*h*) thereof, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 2 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

57. *Recalls* its decision that the Committee may, by consensus, shorten the 60-day period referred to in paragraph 56 on a case-by-case basis;

58. *Reiterates* that the measures referred to in paragraph 2 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law;

59. *Underscores* the importance of the Office of the Ombudsperson, and *requests* the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson by providing necessary

resources, including for translation services, as appropriate, and to make the necessary arrangements to ensure its continued ability to carry out its mandate in an independent, effective and timely manner, and to provide the Committee an update on actions taken in six months;

60. *Strongly urges* Member States to provide all relevant information to the Ombudsperson, including any relevant confidential information, where appropriate, *encourages* Member States to provide relevant information, including any detailed and specific information, when available and in a timely manner, *welcomes* those national arrangements entered into by Member States with the Office of the Ombudsperson to facilitate the sharing of confidential information, *strongly encourages* Member States' further progress in this regard, including by concluding arrangements with the Office of the Ombudsperson for the sharing of such information, and *confirms* that the Ombudsperson must comply with any confidentiality restrictions that are placed on such information by Member States providing it;

61. *Strongly urges* Member States and relevant international organizations and bodies to encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to first seek removal from the ISIL (Da'esh) & Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson;

62. *Notes* the Financial Action Task Force (FATF) international standards and, *inter alia*, best practices relating to targeted financial sanctions, as referenced in paragraph 21 of this resolution;

63. *Recalls* its decision that when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 2 of this resolution shall terminate with respect to that individual, group, undertaking or entity after 60 days unless the Committee decides by consensus before the end of that 60-day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 2 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

64. *Also recalls* its decision that the Committee may, by consensus, shorten the 60-day period referred to in paragraph 63 on a case-by-case basis;

65. *Further recalls* its decision that, for purposes of submitting a delisting request in paragraph 63, consensus must exist between or

among all designating States in cases where there are multiple designating States; and further *recalls* its decision that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 63;

66. *Strongly urges* designating States to allow the Ombudsperson to reveal their identities as designating States to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson;

67. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the ISIL (Da'esh) & Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in paragraph 2 of this resolution, and *strongly urges* Member States to provide reasons for submitting their delisting requests;

68. *Encourages* States to submit delisting requests for individuals that are officially confirmed to be dead, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that assets that had belonged to these individuals or entities will not be transferred or distributed to other individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List or any other Security Council sanctions list;

69. *Encourages* Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

70. *Reaffirms* that, prior to the unfreezing of any assets that have been frozen as a result of the listing of Usama bin Laden, Member States shall submit to the Committee a request to unfreeze such assets and shall provide assurances to the Committee that the assets will not be transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Security Council resolution 1373 (2001), and decides further that such assets may only be unfrozen in the absence of an objection by a Committee member within thirty days of receiving the request, and stresses the exceptional nature of this provision, which shall not be considered as establishing a precedent;

71. *Calls upon* the Committee when considering delisting requests to give due consideration to the opinions of designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, *directs* Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and *requests* the Committee to provide reasons

to relevant Member States and national and regional courts and bodies, upon request and where appropriate;

72. *Encourages* all Member States, including designating States and States of residence, nationality, location or incorporation to provide all information to the Committee relevant to the Committee's review of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further *encourages* the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions;

73. *Confirms* that the Secretariat shall, within three days after a name is removed from the ISIL (Da'esh) & Al-Qaida Sanctions List, notify the Permanent Mission of the State(s) of residence, nationality, location or incorporation (to the extent this information is known), and *recalls* its decision that States receiving such notification shall take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual, group, undertaking or entity of the delisting in a timely manner;

74. *Reaffirms* that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the petitioner, that the Committee consider granting exemptions to the restrictions on assets and travel in paragraphs 2 (a) and (b) of this resolution for the sole purpose of allowing the petitioner to meet travel expenses and travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further directs the Committee to notify the Ombudsperson of the Committee's decision;

Exemptions/Focal Point

75. *Recalls* that the assets freeze measures outlined in paragraph 2 above shall not apply to funds and other financial assets or economic resources that the Committee determines to be:

(a) necessary for basic expenses, including payment for food-stuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources, following notification of intention to authorize access to such funds and in the absence of a negative decision by the Committee within 3 working days of the notification;

(b) necessary for extraordinary expenses, being expenses other than basic expenses, following notification of the intention to authorize release of such funds and approval of the Committee of the request within 5 working days of the notification;

76. *Reaffirms* that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 2 (a) of this resolution, as defined in resolution 1452 (2002) provided that the request has first been submitted for the consideration of the State of residence, and reaffirms further that the Focal Point shall transmit such requests to the Committee for a decision, directs the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and further directs the Committee, through the Focal Point, to notify such individuals, groups, undertaking or entities of the Committee's decision;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 2 (b) of this resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, directs the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and reaffirms further that the Committee shall only agree to exemptions to the measures in paragraph 2 (b) of this resolution with the agreement of the States of transit and destination, and further directs the Committee, through the Focal Point, to notify such individuals of the Committee's decision;

77. *Reaffirms* that the Focal Point may receive, and transmit to the Committee for its consideration, communications from:

(a) individuals who have been removed from the ISIL (Da'esh) & Al-Qaida Sanctions List;

(b) individuals claiming to have been subjected to the measures outlined in paragraph 2 above as a result of false or mistaken identification or confusion with individuals included on the ISIL (Da'esh) & Al-Qaida Sanctions List;

78. *Directs* the Committee, with the assistance of the Monitoring Team and in consultation with relevant States, to carefully consider such communications and to respond, through the Focal Point, to such communications referred to in paragraph 77 (b), as may be appropriate, within 60 days, and *further directs* the Committee, in consultation with INTERPOL as may be appropriate, to communicate with Member States as may be appropriate to address possible or confirmed cases of false or

mistaken identity or confusion with individuals included on the ISIL (Da'esh) & Al-Qaida Sanctions List;

Review and maintenance of the ISIL (Da'esh) & Al-Qaida Sanctions List

79. *Encourages* all Member States, in particular designating States and States of residence, nationality, location or incorporation, to submit to the Committee additional identifying and other information, including where possible and in accordance with their national legislation, photographs and other biometric data of individuals along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

80. *Requests* the Monitoring Team to circulate to the Committee every twelve months a list compiled in consultation with the respective designating States and States of residence, nationality, location or incorporation, where known, of:

(a) individuals and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them;

(b) individuals on the ISIL (Da'esh) & Al-Qaida Sanctions 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;

(c) entities on the ISIL (Da'esh) & Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information;

(d) any other names on the ISIL (Da'esh) & Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”);

81. *Directs* the Committee to review whether these listings remain appropriate, and *further directs* the Committee to remove listings if it decides they are no longer appropriate;

82. *Directs* the Monitoring Team to refer to the Chair for review listings for which, after three years, no relevant State has responded in writing to the Committee’s requests for information, and in this regard, *reminds* the Committee that its Chair, acting in his or her capacity as Chair, may submit names for removal from the ISIL (Da'esh) & Al-Qaida Sanctions List, as appropriate and subject to the Committee’s normal decision-making procedures;

Coordination and outreach

83. *Directs* the Committee to continue to cooperate with other relevant Security Council Sanctions Committees, in particular those established pursuant to resolutions 751 (1992) and 1907 (2009), 1988 (2011), 1970 (2011) and 2140 (2014);

84. *Reiterates* the need to enhance ongoing cooperation among the Committee and United Nations counter-terrorism bodies, including the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to these bodies;

85. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with the Counter-Terrorism Executive Directorate (CTED) and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

86. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 2 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009) 1989 (2011), 2082 (2012), 2083 (2012), and 2133 (2014), 2178 (2014), 2195 (2014), 2199 (2015), and 2214 (2015);

87. *Requests* the Committee to report orally, through its Chair, at least once per year, to the Council on the state of the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with other Committee Chairs, expresses its intention to hold informal consultations at least once per year on the work of the Committee, on the basis of reports from the Chair to the Council, and *further requests* the Chair to hold regular briefings for all interested Member States;

88. *Directs* the Committee to consider requests for information from States and international organizations with ongoing judicial proceedings concerning implementation of the measures imposed in paragraph 2 above, and to respond as appropriate with additional information available to the Committee and the Monitoring Team;

Monitoring Team

89. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of twenty four months from the expiration of its current mandate in December 2017, under the direction of the Committee with the responsibilities outlined in annex I, and *requests* the Secretary-General to make the necessary arrangements to this effect, and *highlights the importance* of ensuring that the Monitoring Team receives the necessary administrative, security, and substantive support, to effectively, safely, and in a timely manner fulfil its mandate, including with regard to duty of care in high-risk environments, under the direction of the Committee, a subsidiary organ of the Security Council;

90. *Requests* the Secretary-General to add up to two new experts on the Monitoring Team along with the additional administrative and analytical support resources needed to increase its capacity and strengthen its ability to analyze ISIL's financing, radicalization and recruitment, and attack planning activities, as well as support the resulting increased activities of the Committee by the Secretariat, and *notes* that the selection process of these experts should prioritize appointing individuals with the strongest qualifications to fulfil the duties described above while paying due regard to the importance of regional and gender representation in the recruitment process;

91. *Directs* the Monitoring Team, in its comprehensive, independent reports to the Committee referred to in paragraph (a) of annex I, to report on relevant thematic and regional topics and developing trends as may be requested by the Security Council or the Committee following the adoption of this resolution;

92. *Encourages* relevant United Nations Missions, within their existing mandates, resources, and capabilities, to assist the Committee and the Monitoring Team, such as through logistical support, security assistance, and exchange of information in their work relevant to the threat by ISIL, Al-Qaida, and associated groups and individuals in their respective areas of deployment;

93. *Directs* the Monitoring Team to identify, gather information on, and keep the Committee informed of instances and common patterns of non-compliance with the measures imposed in this resolution, as well as to facilitate, upon request by Member States, assistance on capacity-building, requests the Monitoring Team to work closely with State(s) of residence, nationality, location or incorporation, designating States, other relevant States, and relevant United Nations Missions, and

further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

94. *Directs* the Committee, with the assistance of its Monitoring Team, to hold special meetings on important thematic or regional topics and Member States' capacity challenges, in consultation, as appropriate, with the Counter Terrorism Committee and CTED, CTITF, and with the Financial Action Task Force to identify and prioritize areas for the provision of technical assistance to enable more effective implementation by Member States;

95. *Requests* the Analytical Support and Sanctions Monitoring Team to submit, in close collaboration with the CTED, to the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) in 30 days recommendations to the Committee on measures that can be taken to strengthen monitoring of global implementation of resolutions 2199 (2015) and 2178 (2014) and additional steps that could be taken by the Committee to improve global compliance with these resolutions;

96. *Requests* the Analytical Support and Sanctions Monitoring Team to provide the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) on a quarterly basis oral briefings on its analysis of global implementation of resolutions 2199 (2015) and 2178 (2014) including gathered information and analysis relevant to potential sanctions designations by Member States or Committee actions that could be taken;

ISIL Reporting

97. *Recalling* the threat posed to international peace and security by ISIL and associated individuals, groups, undertakings, and entities, *requests* the Secretary-General to provide an initial strategic-level report that demonstrates and reflects the gravity of the aforementioned threat, including foreign terrorist fighters joining ISIL and associated groups and entities, and the sources of financing of these groups including through illicit trade in oil, antiquities, and other natural resources, as well as their planning and facilitation of attacks, and reflects the range of United Nations efforts in support of Member States in countering this threat, in 45 days and provide updates every four months thereafter, with the input of CTED, in close collaboration with the Monitoring Team, as well as other relevant United Nations actors;

Reviews

98. *Decides* to review the measures described in paragraph 2 above with a view to their possible further strengthening in eighteen months or sooner if necessary;

99. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 73 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following mandates and responsibilities:

- (a) To submit, in writing, comprehensive, independent reports to the Committee, every six months, the first by 30 June 2016, on the following issues:
- (i) implementation by Member States of the measures referred to in paragraph 2 of this resolution;
 - (ii) the global threat posed by ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities, including (but not limited to) the threat posed by the presence of ISIL and its affiliates in Iraq, the Syrian Arab Republic, Libya, and Afghanistan and the threats represented by the presence of Boko Haram;
 - (iii) the impact of the measures in resolution 2199 (2015), including progress on implementation of these measures, unintended consequences and unexpected challenges, as mandated in that resolution in the form of updates on each of the following subjects: oil trade; trade in cultural property; kidnapping for ransom and external donations; direct or indirect supply; sale or transfer of arms and related material of all types; as part of the impact assessment, pursuant to paragraph 30 of resolution 2199 (2015);
 - (iv) the threat posed by foreign terrorist fighters recruited by or joining Al-Qaida, ISIL, and all other associated groups, undertakings;
 - (v) any other issues that the Security Council or the Committee requests the Monitoring Team to include in its comprehensive reports as set forth in paragraph 91 of this resolution; and
 - (vi) specific recommendations related to improved implementation of relevant sanctions measures, including those referred to in paragraph 2 of this resolution, resolution 2178 (2014) and resolution 2199 (2015), and possible new measures;
- (b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution, including by providing updated information on those individuals, groups, undertakings or entities seeking their removal from the ISIL (Da'esh) & Al-Qaida Sanctions List;

- (c) To assist the Committee in regularly reviewing names on the ISIL (Da'esh) & Al-Qaida Sanctions List, including by undertaking travel on behalf of the Committee, as a subsidiary organ of the Security Council and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;
- (d) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 2 of this resolution;
- (e) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;
- (f) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;
- (g) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;
- (h) To gather information, on behalf of the Committee, on instances of reported non-compliance with the measures referred to in paragraph 2 of this resolution, including by collating information from all relevant sources, including Member States, and engaging with related parties, pursuing case studies, both on its own initiative and upon the Committee's request, and to provide cases of non-compliance and recommendations to the Committee on actions to respond to such cases of non-compliance for its review;
- (i) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 2 of this resolution and in preparing proposed additions to the ISIL (Da'esh) & Al-Qaida Sanctions List;
- (j) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 36 of this resolution;
- (k) To consult with the Committee or any relevant Member States, as appropriate, when identifying that certain individuals or entities

should be added to, or removed from, the ISIL (Da'esh) & Al-Qaida Sanctions List;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual;

(m) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(n) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the state of visit where appropriate;

(o) To cooperate closely with relevant United Nations counter-terrorism bodies in providing information on the measures taken by Member States on kidnapping and hostage-taking for ransom by Al-Qaida, ISIL, and associated individuals, groups, undertakings, and entities, and on relevant trends and developments in this area;

(p) To encourage Member States to submit names and additional identifying information for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List, as instructed by the Committee;

(q) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the ISIL (Da'esh) & Al-Qaida Sanctions List as updated and accurate as possible;

(r) To encourage Member States to provide information to the Monitoring Team that is relevant to the fulfilment of its mandate, as appropriate;

(s) To study and report to the Committee on the changing nature of the threat of Al-Qaida and ISIL, and the best measures to confront them, including by developing, within existing resources, a dialogue with relevant scholars, academic bodies and experts through an annual workshop and/or other appropriate means, in consultation with the Committee;

(t) To collate, assess, monitor, report on, and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 2 (a) of this resolution as it pertains to preventing the criminal misuse of the Internet by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, which shall be included in the Monitoring Team's regular report as outlined in section (a) of this annex; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(u) To consult with Member States and other relevant organizations, including the International Air Transport Association (IATA), the International Civil Aviation Organization (ICAO),

the World Customs Organization (WCO), INTERPOL, the Financial Action Task Force (FATF) and its regional bodies as well as the United Nations Educational, Scientific and Cultural Organization (UNESCO), including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be reflected in the Monitoring Team's reports referred to in paragraph (a) of this annex, such as gaps and challenges in States' implementation of the measures in this resolution;

(v) To consult, in confidence, with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen implementation of the measures;

(w) To consult with Member States, relevant representatives of the private sector, including financial institutions and relevant non-financial businesses and professions, and international and regional organizations, including FATF and its regional bodies, to promote awareness of, and enhanced compliance with, and to learn about the practical implementation of the asset freeze and to develop recommendations for the strengthening of the implementation of that measure;

(x) To consult with Member States, relevant representatives of the private sector and international and regional organizations, including ICAO, IATA, WCO and INTERPOL, to promote awareness of, and enhanced compliance with, and to learn about the practical implementation of the travel ban, including the use of advanced passenger information provided by civil aircraft operators to Member States, and to develop recommendations for the strengthening of the implementation of that measure;

(y) To consult with Member States, relevant representatives of international and regional organizations and the private sector, in coordination with national authorities, as appropriate, to promote awareness of, enhance compliance with, and to learn about the practical implementation of the arms embargo, with a particular emphasis on measures to counter the use of improvised explosive devices (IEDs) by listed individuals, groups, undertakings and entities and the procurement of related components used to construct IEDs, in particular (but not limited to) trigger mechanisms, explosive precursors, commercial grade explosives, detonators, detonating cords, or poisons;

(z) To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

(aa) To work with INTERPOL and Member States to obtain photographs and, in accordance with their national legislation, biometric information of listed individuals for possible inclusion in INTERPOL-United Nations Security Council Special Notices, to work with INTERPOL to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities; and to further work with INTERPOL, as appropriate, to address possible or confirmed cases of false or mistaken identify, with a view to reporting to the Committee on such instances and proposing any recommendations;

(bb) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006), and to work, in consultation with the Secretariat, to standardize the format of all United Nations sanctions lists and the Consolidated Sanctions List so as to facilitate implementation by national authorities;

(cc) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(dd) Any other responsibility identified by the Committee.

ANNEX II

In accordance with paragraph 54 of this resolution, 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 ISIL (Da'esh) & Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity ("the petitioner").

The Council recalls that Member States are not permitted to submit delisting petitions on behalf of an individual, group, undertaking or entity to the Office of the Ombudsperson.

Information gathering (four 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;
 - (d) Inform the petitioner in case the petition fails to properly address the original listing criteria, as set forth in paragraph 2 of

this resolution, and return it to the petitioner for his or her consideration; and

(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 relevant additional information, return it to the petitioner, with an appropriate explanation, 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 United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within four 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. Where all designating States consulted by the Ombudsperson do not object to the petitioner's delisting, the Ombudsperson may shorten the information gathering period, as appropriate.

4. The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within four 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

(c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request.

5. At the end of this four-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, and any significant challenges encountered therein. 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)

6. 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 8 below. The Ombudsperson may shorten this time period if he or she assesses less time is required.

7. During this period of engagement, the Ombudsperson:

(a) May submit questions, either orally or in writing, to the petitioner, 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) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, ISIL, or any cell, affiliate, splinter group, or derivative thereof, and undertakes not to associate with Al-Qaida or ISIL in the future;

(c) Should meet with the petitioner, to the extent possible;

(d) 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;

(e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;

(f) During the information gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;

(g) In the course of the information gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a state on a confidential basis, without the express written consent of that state; and

(h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating States, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original listing.

8. Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, as appropriate, 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 recommendation, lay out for the Committee the principal arguments concerning the delisting request. The recommendation should state the Ombudsperson's views with respect to the listing as of the time of the examination of the delisting request.

Committee discussion

9. After the Committee has had fifteen days to review the Comprehensive Report in all official languages of the United Nations, the Chair of the Committee shall place the delisting request on the Committee's agenda for consideration.

10. When the Committee considers the delisting request, the Ombudsperson, shall present the Comprehensive Report in person and answer Committee members' questions regarding the request.

11. Committee consideration of the Comprehensive Report shall be completed no later than thirty days from the date the Comprehensive Report is submitted to the Committee for its review.

12. After the Committee has completed its consideration of the Comprehensive Report, the Ombudsperson may notify all relevant States of the recommendation.

13. Upon the request of a designating State, State of nationality, residence, or incorporation, and with the approval of the Committee, the Ombudsperson may provide a copy of the Comprehensive Report, with any redactions deemed necessary by the Committee, to such States, along with a notification to such States confirming that:

- (a) All decisions to release information from the Ombudsperson's Comprehensive Reports, including the scope of information, are made by the Committee at its discretion and on a case-by-case basis;
- (b) The Comprehensive Report reflects the basis for the Ombudsperson's recommendation and is not attributable to any individual Committee member; and

(c) The Comprehensive Report, and any information contained therein, should be treated as strictly confidential and not shared with the petitioner or any other Member State without the approval of the Committee.

14. In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 2 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures.

15. In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 2 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with this annex II, including paragraph 7 (h), unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 2 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council.

16. Following the conclusion of the process described in paragraphs 55 and 56 of this resolution, the Committee shall convey to the Ombudsperson, within 60 days, whether the measures described in paragraph 2 are to be retained or terminated, setting out reasons and including any further relevant information, and an updated narrative summary of reasons for listing, where appropriate, for the Ombudsperson to transmit to the petitioner. The 60-day deadline applies to outstanding matters before the Ombudsperson or the Committee and will take effect from the adoption of this resolution.

17. After the Ombudsperson receives the communication from the committee under paragraph 28, if the measures in paragraph 2 are to be retained, the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, a letter that:

- (a) Communicates the outcome of the petition;
- (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 28 above.

18. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

19. The Ombudsperson may notify the petitioner, as well as those States relevant to a case but which are not members of the Committee, of the stage at which the process has reached.

Other Office of the Ombudsperson Tasks

20. 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;

(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 53 of this resolution; and

(c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

95. Resolution 2255 (2015)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY
TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE
SANCTIONS REGIME ESTABLISHED BY RESOLUTION 1988 (2011))

*Adopted by the Security Council at its 7590th meeting,
on 21 December 2015*

The Security Council,

Recalling its previous resolutions on international terrorism and the threat it poses to Afghanistan, in particular its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2082 (2012), 2083 (2012), 2133 (2014), and 2160 (2014) and the relevant statements of its President,

Recalling its previous resolutions extending through 17 March 2016 the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) as defined in resolution 2210 (2015),

Recalling its resolutions on the recruitment and use of children and armed conflict, *expressing* its strong concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban, Al-Qaida, and other violent and extremist groups, illegal armed groups, criminals and those involved in the narcotics trade, and the strong links between terrorism and insurgency activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Expressing concern at the increasing presence and future potential growth of ISIL affiliates in Afghanistan,

Welcoming the establishment of a National Focal Point in Afghanistan as a means to enhance engagement and coordination with the Committee established in paragraph 35 of resolution 1988 (“the Committee”) and underscoring the importance of close cooperation between the Government of Afghanistan and the Committee and encouraging further efforts in this regard.

Welcoming the process by which Afghanistan and its regional and international partners are entering into long-term strategic partnership and other agreements aimed at achieving a peaceful, stable and prosperous Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the importance of a comprehensive political process in Afghanistan to support reconciliation among all Afghans,

Recognizing that the security situation in Afghanistan has evolved and that some members of the Taliban have reconciled with the Government of Afghanistan, have rejected the terrorist ideology of Al-Qaida and its followers, and support a peaceful resolution to the continuing conflict in Afghanistan,

Recognizing that, notwithstanding the evolution of the situation in Afghanistan and progress in reconciliation, the situation in Afghanistan remains a threat to international peace and security, and *reaffirming* the need to combat this threat by all means, in accordance with the Charter of the United Nations and international law, including applicable human rights, refugee and humanitarian law, stressing in this regard the important role the United Nations plays in this effort,

Emphasizing the need for a comprehensive approach to fully disrupt the activities of the Taliban and recognizing the important role that this sanctions regime can play in this regard,

Reiterating its firm commitment to support the Government of Afghanistan in its efforts to advance the peace and reconciliation process, including by the High Peace Council and the implementation of the Afghanistan Peace and Reconciliation Programme, in line with the Kabul Communiqué and the Bonn Conference Conclusions, and within the framework of the Afghan Constitution and application of the procedures introduced by the Security Council in its resolutions 1988 (2011), 2082 (2012), and 2160 (2014), as well as other relevant resolutions of the Council,

Welcoming the decision taken by some members of the Taliban to reconcile with the Government of Afghanistan, to have no links to international terrorist organizations, including Al-Qaida, to respect the constitution, including its human rights provisions, notably the rights of women, and to support a peaceful resolution to the continuing conflict in Afghanistan, and *urging* all those individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan, to accept the Government of Afghanistan's offer of reconciliation,

Emphasizing its serious concern about the security situation in Afghanistan, in particular the ongoing violent and terrorist activities by the Taliban and associated groups, including the Haqqani Network, and by Al-Qaida, and other violent and extremist groups, illegal armed groups, criminals and those involved in terrorism and the illicit brokering in arms and related material and arms trafficking in the production, trafficking or trade of illicit drugs, and the strong links between

terrorism and insurgency activities and illicit drugs, resulting in threats to the local population, including women, children, national security forces and international military and civilian personnel, including humanitarian and development workers,

Expressing concern at the use of improvised explosive devices (IEDs) by the Taliban against civilians and the Afghanistan National Defence and Security Forces and noting the need to enhance coordination and information-sharing, both between Member States and with the private sector, to prevent the flow of IED components to the Taliban,

Also expressing concern over the illicit flow of small arms and light weapons (SALW) into Afghanistan and emphasizing the need for enhancing control over the transfer of SALW in this regard,

Underscoring the importance of humanitarian aid operations and *condemning* all acts or threats of violence against United Nations staff and humanitarian actors and any politicization of humanitarian assistance by the Taliban and associated groups, or individuals,

Reiterating the need to ensure that the present sanctions regime contributes effectively to ongoing efforts to combat the insurgency and support the Government of Afghanistan's work to advance reconciliation in order to bring about peace, stability, and security in Afghanistan,

Taking note of the Government of Afghanistan's request that the Security Council support reconciliation, including by removing names from the United Nations sanctions lists for those who reconcile and have ceased to engage in or support activities that threaten the peace, stability and security of Afghanistan,

Expressing its intention to give due regard to lifting sanctions on those who reconcile,

Welcoming the briefings by the Afghan National Security Advisor and the High Peace Council to the Committee in March 2015 as a sign of close, ongoing cooperation between the Committee and the Government of Afghanistan and encouraging further close cooperation in this regard,

Stressing the central and impartial role that the United Nations continues to play in promoting peace, stability and security in Afghanistan, and *expressing* its appreciation and strong support for the ongoing efforts of the Secretary-General and his Special Representative for Afghanistan to assist the High Peace Council's peace and reconciliation efforts,

Reiterating its support for the fight against illicit production and trafficking of drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursors producing countries and acknowledging that illicit proceeds of the drug trafficking significantly contribute to the financial resources of the Taliban and its associates,

Recognizing the threats that the Taliban, illegal armed groups and criminals involved in narcotics trade, and illicit exploitation of natural resources, continue to pose to the security and stability of Afghanistan and urges the Government of Afghanistan with the support of the international community to continue to address these threats,

Recalling its resolution 2133 (2014) and the publication by the Global Counterterrorism Forum (GCTF) of the “Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists”, *strongly condemning* incidents of kidnapping and hostage-taking committed by terrorist groups for any purpose, including with the aim of raising funds or gaining political concessions, *expressing its determination* to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law, *calling upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages, and *reaffirming* the need for all Member States to cooperate closely during incidents of kidnapping and hostage-taking committed by terrorist groups,

Recalling concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communications technologies, in particular the Internet, to facilitate terrorist acts, as well as their use to incite, recruit, fund, or plan terrorist acts,

Welcoming the efforts of the Secretariat to standardize the format of all United Nations sanctions lists to facilitate implementation by national authorities, *further welcoming* the Secretariat’s efforts to translate all list entries and narrative summaries of reasons for listing available in all official languages of the United Nations, including making the Afghanistan/Taliban sanctions list available in Dari and Pashtu,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the following measures with respect to individuals and entities designated prior to the date of adoption of resolution 1988 (2011) as the Taliban, as well as other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan as designated by the Committee established in paragraph 35 of resolution 1988 (“the Committee”), in the 1988 Sanction List, hereafter known as “the List”):

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings

and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified, including where this directly relates to supporting efforts by the Government of Afghanistan to promote reconciliation;

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities;

2. *Decides* that the acts or activities indicating that an individual, group, undertaking or entity is eligible for listing under paragraph 1 include:

(a) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or

(d) Otherwise supporting acts or activities of those designated and other individuals, groups, undertakings and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

3. *Confirms* that any individual or any group, undertaking or entity owned or controlled, directly or indirectly by, or otherwise supporting, such an individual, group, undertaking or entity on the List, shall be eligible for listing;

4. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crimes, including the illicit cultivation, production and trafficking of narcotic drugs originating in and transiting through Afghanistan, and trafficking of precursors into Afghanistan, and *underscores* the need to prevent those associated

with the Taliban in constituting a threat to the peace, stability and security of Afghanistan from benefiting, directly or indirectly, from entities engaging in activities prohibited by this resolution, as well as the illegal exploitation of natural resources in Afghanistan;

5. *Confirms* that the requirements in paragraph 1 (a) above apply to all proposed uses of funds or other financial assets or economic resources in connection with the travel of a listed individual, including costs incurred with respect to transportation and lodging, and that such travel-related funds or other financial assets or economic resources may only be provided in accordance with the exemption procedures set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and in paragraph 17 below;

6. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of those on this List, as well as other individuals, groups, undertakings or entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan;

7. *Confirms* further that the requirements in paragraph 1 (a) above shall also apply to the direct or indirect payment of ransoms to or for the benefit of individuals, groups, undertakings or entities on the List, regardless of how or by whom the ransom is paid;

8. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

9. *Encourages* all Member States to more actively submit to the Committee listing requests of individuals and entities supporting the Taliban, and associated individuals, groups, undertakings, and entities, including those who provide financial support;

10. *Strongly urges* all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force's (FATF) revised Forty Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation;

11. *Calls upon* Member States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals and entities on the List, as required by paragraph 1 (a), taking into account relevant FATF Recommendations and international standards designed to prevent the abuse of non-profit organizations, formal as well as informal/alternative remittance systems and the physical trans-border movement of currency, while working to mitigate the impact on legitimate activities through these mediums;

12. *Urges* Member States to promote awareness of the List as widely as possible, including to relevant domestic agencies, the private sector and the general public to ensure effective implementation of the measures in paragraph 1; and *encourages* Member States to urge that their respective company, property and other relevant public and private registries regularly screen their available databases, including but not limited to those with legal and/or beneficial ownership information, against the List;

13. *Decides* that States, in order to prevent those associated with the Taliban and other individuals, groups, undertakings and entities from obtaining, handling, storing, using or seeking access to all types of explosives, whether military, civilian or improvised explosives, as well as to raw materials and components that can be used to manufacture improvised explosive devices or unconventional weapons, including (but not limited to) chemical components, detonators, or detonating cord, shall undertake appropriate measures to promote the exercise of enhanced vigilance by their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and storage of such materials, including through the issuance of good practices;

14. *Strongly condemns* the continued flow of weapons, including SALW, military equipment and IED components to the Taliban and expresses serious concern at the destabilizing impact of such weapons on the security and stability of Afghanistan, and emphasizing the need for enhancing control over the transfer of illicit SALW to in this regard, and *further encourages* Member States to share information, establish partnerships, and develop national strategies and capabilities to counter improvised explosive devices;

15. *Encourages* Member States to exchange information expeditiously with other Member States, in particular the Government of Afghanistan and States of origin, destination, and transit, and with the Committee, when they detect the travel of listed individuals;

16. *Encourages* Member States to consult the List when considering travel visa applications;

Exemptions

17. *Recalls* its decision that all Member States may make use of the provisions set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), regarding available exemptions with regard to the measures in paragraph 1 (a), *encourages* their use by Member States, and *notes* that the Focal Point mechanism established in resolution 1730 (2006) may receive exemption requests submitted

by, or on behalf of, an individual, group, undertaking or entity on the List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 22 below;

18. *Recalls* its decision that the assets freeze measures outlined in paragraph 1 (a) do not apply to funds and other financial assets or economic resources that the relevant State determines to be:

(a) necessary for basic expenses, including payment for food-stuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources, following notification of intention to authorize access to such funds and in the absence of a negative decision by the Committee within three working days of the notification;

(b) necessary for extraordinary expenses, being expenses other than basic expenses, including funds to finance travel undertaken with an approved travel ban exemption request, following notification of the intention to authorize release of such funds and approval of the Committee of the request within five working days of the notification;

19. *Underlines* the importance of a comprehensive political process in Afghanistan to support peace and reconciliation among all Afghans, *invites* the Government of Afghanistan, in close coordination with the High Peace Council, to submit for the Committee's consideration the names of listed individuals for whom it confirms travel to such specified location or locations is necessary to participate in meetings in support of peace and reconciliation, and *requires* such submissions to include, to the extent possible, the following information:

(a) The passport number or travel document number of the listed individual;

(b) The specific location or locations to which each listed individual is expected to travel and their anticipated transit points, if any;

(c) The period of time, not to exceed nine months, during which listed individuals are expected to travel;

(d) A detailed list of funds or other financial assets or economic resources expected to be necessary in connection with the travel of the listed individual, including costs incurred with respect to transportation and lodging, as the basis for an exemption request for extraordinary expenses;

20. *Decides* that the travel ban imposed by paragraph 1 (b) shall not apply to individuals identified pursuant to paragraph 19 above, where the Committee determines, on a case-by-case basis only, that such entry or transit is justified, further *decides* that any such exemption approved by the Committee shall only be granted for the requested period for any travel to the specified location or locations, *directs* the Committee to decide on all such exemption requests, as well as on requests to amend or renew previously granted exemptions, or on a request by any Member State to revoke previously granted exemptions, within ten days of receiving them, and *affirms* that, notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of this resolution;

21. *Requests* the Government of Afghanistan, through the Monitoring Team, to provide to the Committee, for its consideration and review, a report on each individual's travel under a granted exemption, promptly upon the exemption's expiration, and *encourages* relevant Member States to provide information to the Committee, as appropriate, on any instances of non-compliance;

22. *Decides* that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 1 (a) of this resolution, as defined in resolution 1452 (2002), provided that the request has first been submitted for the consideration of the State of residence, and reaffirms further that the Focal Point shall transmit such requests to the Committee for a decision, *directs* the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and further *directs* the Committee, through the Focal Point, to notify such individuals, groups, undertaking or entities of the Committee's decision;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 1 (b) of this resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, *directs* the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and reaffirms further that the Committee shall only agree to exemptions to the measures in paragraph 1 (b) of this resolution with the agreement of the States of transit and destination, and further *directs* the Committee, through the Focal Point, to notify such individuals of the Committee's decision;

Listing

23. *Encourages* all Member States, in particular the Government of Afghanistan, to submit to the Committee for inclusion on the List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities described in paragraph 2 above;

24. *Reaffirms* that, when proposing names to the Committee for inclusion on the List, Member States shall use the standard form for listing and provide a statement of case, which should include as detailed and specific reasons as possible on the proposed basis for the listing, and as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and to the extent possible, the information required by INTERPOL to issue a INTERPOL-United Nations Security Council Special Notice, and *decides further* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 26 below;

25. *Encourages* Member States, in accordance with their national legislation, to submit to INTERPOL, where available, photographs and other biometric data of individuals for the inclusion in the INTERPOL-United Nations Security Council Special Notices, and *directs* the Monitoring Team to report to the Committee on further steps that could be taken to improve the quality of the 1988 Sanctions List, including by improving identifying information, as well as steps to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities;

26. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the List, a narrative summary of reasons for listing that are as detailed and specific as possible, as well as additional relevant information;

27. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any appropriate information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on listing and provide additional material for the narrative summary of reasons for listing described in paragraph 26;

28. *Requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the List;

29. *Strongly urges* Member States, when considering the proposal of a new listing, to consult with the Government of Afghanistan on the listing prior to submission to the Committee to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts, and *encourages* all Member States considering the proposal of a new listing to seek advice from UNAMA, where appropriate;

30. *Decides* that the Committee shall, after publication but within three working days after a name is added to the List, notify the Government of Afghanistan, the Permanent Mission of Afghanistan, and the Permanent Mission of the State(s) where the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of which the person is believed to be a national; and further *decides* that the relevant Member State(s) shall take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the listing and to include with this notification the narrative summary of reasons for listing, a description of the effects of listing, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, and the provisions of resolution 1452 (2002), as amended by resolution 1735 (2006), regarding available exemptions;

Delisting

31. *Directs* the Committee to remove expeditiously individuals and entities on a case-by-case basis that no longer meet the listing criteria outlined in paragraph 2 above, and *requests* that the Committee give due regard to requests for removal of individuals who have reconciled, in accordance with the 20 July 2010 Kabul Conference Communiqué on dialogue for all those who renounce violence, have no links to international terrorist organizations, including Al-Qaida, respect the constitution, including its human rights provisions, notably the rights of women, and are willing to join in building a peaceful Afghanistan, and as further elaborated in the principles and outcomes of the 5 December 2011 Bonn Conference Conclusions supported by the Government of Afghanistan and the international community;

32. *Strongly urges* Member States to consult with the Government of Afghanistan on their delisting requests prior to submission to the Committee, to ensure coordination with the Government of Afghanistan's peace and reconciliation efforts;

33. *Recalls* its decision that individuals and entities seeking removal from the List without the sponsorship of a Member State are eligible to submit such requests to the Focal Point mechanism established in resolution 1730 (2006);

34. *Encourages* UNAMA to support and facilitate cooperation between the Government of Afghanistan and the Committee to ensure that the Committee has sufficient information to consider delisting requests, and *directs* the Committee to consider delisting requests in accordance with the following principles, where relevant:

(a) Delisting requests concerning reconciled individuals should, if possible, include a communication from the High Peace Council through the Government of Afghanistan confirming the reconciled status of the individual according to the reconciliation guidelines, or, in the case of individuals reconciled under the Strengthening Peace Programme, documentation attesting to their reconciliation under the previous programme, as well as current address and contact information;

(b) Delisting requests concerning individuals who formerly held positions in the Taliban regime prior to 2002 who no longer meet the listing criteria outlined in paragraph 2 of this resolution should, if possible, include a communication from the Government of Afghanistan confirming that the individual is not an active supporter of, or participant in, acts that threaten the peace, stability and security of Afghanistan, as well as current address and contact information;

(c) Delisting requests for reportedly deceased individuals should include an official statement of death from the State of nationality, residence, or other relevant State;

35. *Urges* the Committee, where appropriate, to invite a representative of the Government of Afghanistan to appear before the Committee to discuss the merits of listing or delisting certain individuals, groups, undertakings, and entities, including when a request by the Government of Afghanistan has been put on hold or rejected by the Committee;

36. *Requests* all Member States, but particularly the Government of Afghanistan, to inform the Committee if they become aware of any information indicating that an individual, group, undertaking or entity that has been delisted should be considered for listing under paragraph 1 of this resolution, and *further requests* that the Government of Afghanistan provide to the Committee an annual report on the status of reportedly reconciled individuals who have been delisted by the Committee in the previous year;

37. *Directs* the Committee to consider expeditiously any information indicating that a delisted individual has returned to activities set forth in paragraph 2, including by engaging in acts inconsistent with paragraph 31 of this resolution, and *requests* the Government of Afghanistan or other Member States, where appropriate, to submit a request to add that individual's name back on the list;

38. *Confirms* that the Secretariat shall, as soon as possible after the Committee has made a decision to remove a name from the List,

transmit the decision to the Government of Afghanistan and the Permanent Mission of Afghanistan for notification, and the Secretariat should also, as soon as possible, notify the Permanent Mission of the State(s) in which the individual or entity is believed to be located and, in the case of non-Afghan individuals or entities, the State(s) of nationality, and *recalls* its decision that States receiving such notification take measures, in accordance with domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner;

Review and maintenance of the List

39. *Recognizes* that the ongoing conflict in Afghanistan, and the urgency that the Government of Afghanistan and the international community attach to a peaceful political solution to the conflict, requires timely and expeditious modifications to the List, including the addition and removal of individuals and entities, *urges* the Committee to decide on listing and delisting requests in a timely manner, *requests* the Committee to review each entry on the list on a regular basis, including, as appropriate, by means of reviews of individuals considered to be reconciled, individuals whose entries lack identifiers, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist, *directs* the Committee to review and amend its guidelines for such reviews, as appropriate, and *requests* the Monitoring Team to circulate to the Committee every twelve months a list compiled in consultation with the respective designating States and States of residence, in particular the Government of Afghanistan, as well as States of nationality, location or incorporation, where known, of:

- (a) Individuals on the List whom the Afghan Government considers to be reconciled along with relevant documentation as outlined in paragraph 34 (a);
- (b) Individuals and entities on the List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them;
- (c) Individuals on the List who are reportedly deceased, along with an assessment of relevant information outlined in paragraph 34 (c) 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;

40. *Directs* the Committee to review whether these listings remain appropriate, and *further directs* the Committee to remove listings if it decides they are no longer appropriate;

41. *Requests* the Monitoring Team to provide an overview of the current status of the information included in the INTERPOL-United Nations Security Council Special Notices on a periodic basis, as appropriate;

42. *Recalls* that, with the exception of decisions made pursuant to paragraph 20 of this resolution, no matter shall be left pending before the Committee for a period longer than six months, *urges* Committee members to respond within three months,

43. *Urges* the Committee to ensure that there are fair and clear procedures for the conduct of its work, and *directs* the Committee to review its guidelines as soon as possible, in particular with respect to paragraphs 17, 21, 32, 33, 34 and 35;

44. *Encourages* Member States and relevant international organizations to send representatives to meet with the Committee to share information and discuss any relevant issues;

45. *Encourages* all Member States, in particular designating States and States of residence, nationality, location or incorporation, to submit to the Committee additional identifying and other information, including where available, and in accordance with their national legislation, photographs and other biometric data of individuals along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

46. *Directs* the Committee to consider requests for information from States and international organizations with ongoing judicial proceedings concerning implementation of the measures imposed in paragraph 1, and to respond as appropriate with additional information available to the Committee and the Monitoring Team;

47. *Directs* the Monitoring Team to refer to the Chair for review listings for which, after three years, no relevant State has responded in writing to the Committee's requests for information, and in this regard, *reminds* the Committee that its Chair, acting in his or her capacity as Chair, may submit names for removal from the List, as appropriate and subject to the Committee's normal decision-making procedures;

Cooperation with the Government of Afghanistan

48. *Welcomes* periodic briefings from the Government of Afghanistan on the content of the list, as well as on the impact of targeted sanctions on deterring threats to the peace, stability and security of Afghanistan, and supporting Afghan-led reconciliation; and underlines that continued and close cooperation between the Government of Afghanistan and the Committee will contribute to further enhance efficiency and effectiveness of the regime;

49. *Encourages* continued cooperation among the Committee, the Government of Afghanistan, and UNAMA, including by identifying

and providing detailed information regarding individuals and entities participating in the financing or support of acts or activities set forth in paragraph 2 of this resolution, and by inviting UNAMA representatives to address the Committee and *further encourages* UNAMA within its existing mandate, resources, and capacity to continue to provide logistical support and security assistance to the Monitoring Team for its work in Afghanistan;

50. *Welcomes* the Government of Afghanistan's desire to assist the Committee in the coordination of listing and delisting requests and in the submission of all relevant information to the Committee;

Monitoring Team

51. *Decides*, in order to assist the Committee in fulfilling its mandate, that the 1267/1989 Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), shall also support the Committee for a period of twenty-four months from the date of expiration of the current mandate in December 2017, with the mandate set forth in the annex to this resolution, and *further requests* the Secretary-General to make the necessary arrangements to this effect, and *highlights* the importance of ensuring that the Monitoring Team receives the necessary administrative and substantive support, to effectively, safely and in a timely manner fulfil its mandate, including with regard to duty of care in high risk environments, under the direction of the Committee, a subsidiary organ of the Security Council;

52. *Directs* the Monitoring Team to gather information on instances of non-compliance with the measures imposed in this resolution and to keep the Committee informed of such instances, as well as to facilitate, upon request by Member States, assistance on capacity-building, *encourages* Committee members to address issues of non-compliance and bring them to the attention of the Monitoring Team or the Committee, and *further directs* the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

Coordination and Outreach

53. *Recognizes* the need to maintain contact with relevant United Nations Security Council Committees, international organizations and expert groups, including the Committee established pursuant to resolution 1267 (1999), the Counter-Terrorism Committee (CTC), the United Nations Office of Drugs and Crime, the Counter-Terrorism Committee Executive Directorate (CTED), the Committee established pursuant to resolution 1540 (2004), and the Financial Action Task Force (FATF), particularly given the continuing presence and negative

influence on the Afghan conflict by Al-Qaida, and any cell, affiliate, splinter group or derivative thereof;

54. *Encourages* UNAMA to provide assistance to the High Peace Council, at its request, to encourage listed individuals to reconcile;

55. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions.

56. *Requests* the Committee to report orally, through its Chair, once per year, to the Council on the state of the overall work of the Committee and the Monitoring Team, and further requests the Chair to hold annual briefings for all interested Member States;

Reviews

57. *Decides* to review the implementation of the measures outlined in this resolution in eighteen months and make adjustments, as necessary, to support peace and stability in Afghanistan;

58. *Decides* to remain actively seized of the matter.

ANNEX

In accordance with paragraph 51 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following responsibilities:

(a) To submit, in writing, two annual comprehensive, independent reports to the Committee, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(b) To assist the Committee in regularly reviewing names on the List, including by undertaking travel on behalf of the Committee as a subsidiary organ of the Security Council and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(c) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(d) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel on behalf of the Committee;

- (e) To gather information on behalf of the Committee on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by, but not limited to, collating information from Member States and engaging with related parties, pursuing case studies, both on its own initiative and upon the Committee's request, and to provide recommendations to the Committee on such cases of non-compliance for its review;
- (f) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the List;
- (g) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 26 of this resolution;
- (h) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual;
- (i) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;
- (j) To encourage Member States to submit names and additional identifying information for inclusion on the List, as instructed by the Committee;
- (k) To consult with the Committee, the Government of Afghanistan, or any relevant Member States, as appropriate, when identifying individuals or entities that could be added to, or removed from, the List;
- (l) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the List as updated and accurate as possible;
- (m) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including by key Afghan government institutions and any capacity assistance requirements; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;
- (n) To consult with Member States and other relevant organizations and bodies, including UNAMA and other United Nations agencies, and engage in regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be reflected in the Monitoring Team's reports referred to in paragraph (a) of this annex;
- (o) To cooperate closely with the United Nations Office on Drugs and Crime (UNODC) and engage in a regular dialogue with Mem-

ber States and other relevant organizations, including the Shanghai Cooperation Organization, the Collective Security Treaty Organization and the Combined Maritime Forces, on the nexus between narcotics trafficking and those individuals, groups, undertakings, and entities eligible for listing under paragraph 1 of this resolution, and report as requested by the Committee;

(p) To provide an update report to the special report of the Monitoring Team pursuant to resolution 2160 (2014) Annex (p), as part of its regular comprehensive reports;

(q) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(r) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(s) To cooperate closely with the Al-Qaida Sanctions Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) and other relevant United Nations counter-terrorism bodies in providing information on the measures taken by Member States on kidnapping and hostage-taking for ransom and on relevant trends and developments in this area;

(t) To consult with the Government of Afghanistan, Member States, relevant representatives of the private sector, including financial institutions and relevant non-financial businesses and professions, and with relevant international organizations, including the Financial Action Task Force (FATF) and its regional bodies, to raise awareness of the sanctions and to assist in the implementation of the measures in accordance with FATF Recommendation 6 on asset freezing and its related guidance;

(u) To consult with the Government of Afghanistan, Member States, relevant representatives of the private sector and other international organizations, including International Civil Aviation Organization (ICAO), the International Air Transport Association (IATA), the World Customs Organization (WCO), and INTERPOL to raise awareness of and learn about the practical implementation of the travel ban, including the use of advanced passenger information provided by civil aircraft operators to Member States, and assets freeze and to develop recommendations for the strengthening of the implementation of these measures;

(v) To consult with the Government of Afghanistan, Member States, international and regional organizations and relevant representatives of the private sector on the threat posed by improvised

explosive devices (IEDs) to peace, security and stability in Afghanistan, to raise awareness of the threat and to develop, in line with their responsibilities under annex (a), recommendations for appropriate measures, to counter this threat;

(w) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(x) To cooperate with INTERPOL and Member States to obtain photographs, physical descriptions and, in accordance with their national legislation, other biometric and biographic data of listed individuals when available for inclusion in INTERPOL-United Nations Security Council Special Notices and to exchange information on emerging threats;

(y) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);

(z) To assist the Committee in facilitating assistance in capacity-building for enhancing implementation of the measures, upon request by Member States;

(aa) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(bb) To study and report to the Committee on the current nature of the threat of individuals, groups, undertakings and entities associated with the Taliban, in constituting a threat to the peace, stability and security of Afghanistan and the best measures to confront it, including by developing a dialogue with relevant scholars, academic bodies and experts according to the priorities identified by the Committee;

(cc) To gather information, including from the Government of Afghanistan and relevant Member States, on travel that takes place under a granted exemption, pursuant to paragraphs 19 and 20, and to report to the Committee, as appropriate; and

(dd) Any other responsibility identified by the Committee.

96. Resolution 2368 (2017)

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS (MODIFICATION AND STRENGTHENING OF THE SANCTIONS REGIME WITH RESPECT TO ISIL, AL-QAIDA, AND ASSOCIATED INDIVIDUALS, GROUPS, UNDERTAKINGS AND ENTITIES (RESOLUTIONS 1333 (2000), 1390 (2002), 1989 (2011), EXTENSION OF THE MANDATE OF THE OFFICE OF THE OMBUDSPERSON)

Adopted by the Security Council at its 8007th meeting, on 20 July 2017

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), 2133 (2014), 2161 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2214 (2015), 2249 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016), 2341 (2017), 2347 (2017), 2354 (2017),

Reaffirming that terrorism in all forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed, and *reiterating* its unequivocal condemnation of the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property, and greatly undermining stability,

Recognizing that terrorism poses a threat to international peace and security and that countering this threat requires collective efforts on national, regional and international levels on the basis of respect for international law and the Charter of the United Nations,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, or civilization,

Expressing its gravest concern about the presence, violent extremist ideology and actions of ISIL, and Al-Qaida, and the growing presence of their affiliates around the world,

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Recalling the importance of Member States fulfilling all of their obligations under the Charter of the United Nations,

Underscoring the important role of the United Nations, in particular the United Nations Security Council, in facilitating international cooperation in countering terrorism,

Stressing that Member States have the primary responsibility in countering terrorist acts and violent extremism conducive to terrorism,

Recalling the Presidential Statements of the Security Council on threats to international peace and security caused by terrorist acts of 15 January 2013 (S/PRST/2013/1), 28 July 2014 (S/PRST/2014/14), 19 November 2014 (S/PRST/2014/23), 29 May 2015 (S/PRST/2015/11), 28 July 2015 (S/PRST/2015/14), 11 May 2016 (S/PRST/2016/6) and 13 May 2016 (S/PRST/2016/7),

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights law, international refugee law, and international humanitarian law, threats to international peace and security caused by terrorist acts, *stressing* in this regard the important role the United Nations plays in leading and coordinating this effort,

Recognizing that development, security, and human rights are mutually reinforcing and are vital to an effective and comprehensive approach to countering terrorism, and *underlining* that a particular goal of counter-terrorism strategies should be to ensure sustainable peace and security,

Reaffirming its resolution 1373 (2001) and in particular its decisions that all States shall prevent and suppress the financing of terrorist acts and refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists,

Urging all States, including States where ISIL is present, to prevent any trade, economic, and financial ties with ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities, including through enhancing their border security efforts,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter of the United Nations in the maintenance and restoration of international peace and security, including in support of countering terrorism, and *stressing* in this regard the need for robust implementation of the measures in paragraph 1 of this resolution,

Stressing the important role the 1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee plays in identifying possible cases of non-compliance with the measures pursuant to paragraph 1, including its role in determining the appropriate course of action on each case,

Recalling that ISIL is a splinter group of Al-Qaida, and *recalling* further that any individual, group, undertaking, or entity supporting ISIL or Al-Qaida is eligible for listing,

Condemning the frequent, recent terrorist attacks perpetrated by ISIL around the world resulting in numerous casualties, as well as the continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law by ISIL, and *recognizing* the need for sanctions to reflect current threats and, in this regard, *recalling* paragraph 7 of resolution 2249 (2015),

Recalling that all States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *urges* States to act in accordance with their obligations under international law, in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups,

Reminding all States that they have an obligation to take the measures described in paragraph 1 with respect to all individuals, groups, undertakings, and entities included on the ISIL (Da'esh) and Al-Qaida Sanctions list created pursuant to resolutions 1267 (1999), 1333 (2000), 1989 (2011), 2083 (2012), and 2161 (2014) and 2253 (2015), regardless of the nationality or residence of such individuals, groups, undertakings, or entities,

Urging all Member States to participate actively in maintaining and updating the ISIL (Da'esh) & Al-Qaida Sanctions List by contributing additional information pertinent to current listings, submitting delisting requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings, and entities which should be subject to the measures referred to in paragraph 1 of this resolution,

Reminding the ISIL (Da'esh) and Al-Qaida Sanctions Committee to remove expeditiously and on a case-by-case basis individuals, groups, undertakings, and entities that no longer meet the criteria for listing outlined in this resolution, *welcoming* improvements to the Committee's procedures and the format of the ISIL (Da'esh) & Al-Qaida Sanctions List, *expressing* its intent to continue efforts to ensure that procedures are fair and clear, and *recognizing* the challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of this resolution,

Recognizing the importance of building capacities of Member States to counter terrorism and terrorist financing,

Welcoming again the establishment of the Office of the Ombudsperson pursuant to resolution 1904 (2009) and the enhancement of the Ombudsperson's mandate in resolutions 1989 (2011), 2083 (2012), 2161 (2015) and 2253 (2015) *noting* the Office of the Ombudsperson's significant contribution in providing additional fairness and transparency, and *recalling* the Security Council's firm commitment to ensuring that the Office of the Ombudsperson is able to continue to carry out its role effectively and independently, in accordance with its mandate,

Welcoming the Ombudsperson's biannual reports to the Security Council, including the reports submitted on 21 January 2011, 22 July 2011, 20 January 2012, 30 July 2012, 31 January 2013, 31 July 2013, 31 January 2014, 31 July 2014, and 2 February 2015,

Welcoming the continuing cooperation between the Committee and INTERPOL, the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, and all other United Nations bodies, and *strongly encouraging* further engagement with the United Nations Counter-Terrorism Implementation Task Force (CTITF) to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, and *welcoming* the initiative of the Secretary-General to transfer the current CTITF and the United Nations Counter-Terrorism Centre into the office of Counter-terrorism,

Recalling its resolutions 2199 (2015) and 2133 (2014) strongly condemning kidnapping and hostage-taking committed by terrorist groups for any purpose, including with the aim of raising funds or gaining political concessions, expressing its determination to prevent kidnapping and hostage-taking committed by terrorist groups and to secure the safe release of hostages without ransom payments or political concessions, in accordance with applicable international law, *reiterating its call upon* all Member States to prevent terrorists from benefiting directly or indirectly from ransom payments or from political concessions and to secure the safe release of hostages, welcoming the endorsement by the Global Counterterrorism Forum (GCTF) in September 2015 of the "Addendum to the Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists" and *urging* all States to remain vigilant about kidnapping and hostage-taking by ISIL, Al-Qaida, and their affiliates,

Gravely concerned that in some cases ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities continue to profit from involvement in transnational organized crime, and *expressing concern* that terrorists benefit from transnational organized crime in some regions, including from the trafficking of arms, persons, drugs, and artefacts, and from the illicit trade in natural resources including

gold and other precious metals and stones, minerals, wildlife, charcoal, petroleum, and petroleum products, as well as from kidnapping for ransom and other crimes including extortion and bank robbery,

Recognizing the need to take measures to prevent and suppress the financing of terrorism, terrorist organizations, and individual terrorists even in the absence of a link to a specific terrorist act, including from the proceeds of organized crime, *inter alia*, the illicit production and trafficking of drugs and their chemical precursors, and recalling paragraph 5 of resolution 1452 (2002),

Recognizing the need for Member States to prevent the abuse of non-governmental, non-profit and charitable organizations by and for terrorists, *noting* that the ongoing international campaign against terrorist financing has identified individual cases in which terrorists and terrorist organizations exploit some non-profit organizations in the sector to raise and move funds, provide logistical support, encourage terrorist recruitment, or otherwise support terrorist organizations and operations, and *calling upon* non-governmental, non-profit, and charitable organizations to prevent and oppose, as appropriate, attempts by terrorists to abuse their status through risk mitigation measures, while recalling the importance of fully respecting the rights to freedom of expression and association of individuals in civil society and freedom of religion or belief, and *welcoming* the 2016 revised international standard and guidance issued by the Financial Action Task Force (FATF) in Recommendation 8, including its recommendation for a more appropriate, risk-based approach and government engagement with the non-profit sector to appropriately and effectively mitigate terrorist abuse, and to take appropriate actions when necessary, noting that any such measures implemented by states be consistent with their international obligations, and *reiterating* that States should identify and take effective and proportionate actions against non-profit organizations that either are exploited by or knowingly support terrorists or terrorist organizations taking into account the specifics of the case,

Recalling its decision that Member States shall eliminate the supply of weapons, including small arms and light weapons, to terrorists, as well as its calls on States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional, and international levels,

Strongly condemning the continued flow of weapons, including small arms and light weapons, military equipment, unmanned aircraft systems (UASs) and their components, and improvised explosive device (IED) components to and between ISIL, Al-Qaida, their affiliates, and associated groups, illegal armed groups and criminals, and *encouraging* Member States to prevent and disrupt procurement networks for such

weapons, systems and components between ISIL, Al-Qaida and associated individuals, groups, undertakings and entities, including through proposing relevant listing requests,

Expressing concern at the increased use, in a globalized society, by terrorists and their supporters of new information and communications technologies, in particular the Internet, to facilitate terrorist acts, as well as their use to incite, recruit, fund, or plan terrorist acts,

Stressing the need to effectively counter the ways that ISIL, Al-Qaida and associated individuals, groups, undertakings and entities use their narratives to incite and recruit others to commit terrorist acts, and *further recalling* in this regard resolution 2354 (2017) and the “Comprehensive International Framework to Counter Terrorist Narratives” (S/2017/375) with recommended guidelines and good practices,

Expressing concern at the flow of international recruits to ISIL, Al-Qaida, and associated groups and the scale of this phenomenon, and *recalling* its resolution 2178 (2014) deciding that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting, or equipping of foreign terrorist fighters and the financing of their travel and of their activities,

Reiterating the obligation of Member States to prevent the entry into or transit through their territories of any individual about whom that State has credible information that provides reasonable grounds to believe that he or she is seeking entry into or transit through their territory for the purpose of participating in the foreign terrorist fighter-related activities described in paragraph 6 of resolution 2178 (2014), and *reiterating* further the obligation of Member States to prevent the movement of terrorist groups, in accordance with applicable international law, by, *inter alia*, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists, and financing that would support terrorists,

Expressing concern at the increasing number of foreign terrorist fighters leaving zones of armed conflict, returning to their countries of origin, transiting through, traveling to or relocating to or from other Member States, and *encouraging* Member States to share relevant information, as appropriate, within and between governments about funding flows and movement of foreign terrorist fighters to mitigate the risk they pose,

Calling upon Member States to continue information sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on individuals, groups, undertakings and entities implicated in terrorist activities, in particular their supply of weapons and sources of material support, and on the ongoing

international counter-terrorism coordination including among special services, security agencies and law enforcement organizations and criminal justice authorities,

Condemning any engagement in direct or indirect trade, in particular of petroleum and petroleum products, modular refineries, and related materiel including chemicals and lubricants, with ISIL, Al-Nusrah Front (ANF), and associated individuals, groups, undertakings, and entities designated by the Committee, and *reiterating* that such engagement would constitute support for such individuals, groups, undertakings, and entities and may lead to further listings by the Committee,

Condemning the destruction of cultural heritage in Iraq and Syria particularly by ISIL and ANF, including targeted destruction of religious sites and objects; and *recalling its decision* that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people,

Recalling its resolution 2178 (2014) expressing concern with the continued threat posed to international peace and security by ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities, and *reaffirming* its resolve to address all aspects of that threat, including terrorist acts perpetrated by foreign terrorist fighters,

Condemning in the strongest terms abductions of women and children by ISIL, ANF, and associated individuals, groups, undertakings, and entities and recalling resolution 2242 (2015), *expressing* outrage at their exploitation and abuse, including rape, sexual violence, forced marriage, and enslavement by these entities, *encouraging* all State and non-state actors with evidence to bring it to the attention of the Council, along with any information that such human trafficking and related forms of exploitation and abuse may support the perpetrators financially, *emphasizing* that this resolution requires States to ensure that their nationals and persons within their territory do not make available any funds, financial assets or economic resources for ISIL's benefit, and *noting* that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the Committee,

Recalling its resolution 2331 (2016), condemning all acts of trafficking, *further expressing* its intention to invite the Special Representatives of the Secretary-General on Sexual Violence in Conflict and on Children and Armed Conflict to brief the Committee, in accordance with the Committee's rules of procedure, and to provide relevant information

including, if applicable, the names of individuals involved in the trafficking in persons who may meet the Committee's designation criteria,

Welcoming the efforts of the Secretariat to standardize the format of all United Nations sanctions lists to facilitate implementation by national authorities, further *welcoming* the Secretariat's efforts to translate all list entries and narrative summaries of reasons for listing available in all official languages of the United Nations, and *encouraging* the Secretariat, with the assistance of the Monitoring Team, as appropriate, to continue its work to implement the data model approved by the Committee,

Acting under Chapter VII of the Charter of the United Nations,

Measures

1. *Decides* that all States shall take the following measures as previously imposed by paragraph 8 (c) of resolution 1333 (2000), paragraphs 1 and 2 of resolution 1390 (2002), and paragraphs 1 and 4 of resolution 1989 (2011), with respect to ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities:

Asset Freeze

(a) Freeze without delay the funds and other financial assets or economic resources of these individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly for such persons' benefit, by their nationals or by persons within their territory;

Travel Ban

(b) Prevent the entry into or transit through their territories of these individuals, provided that nothing in this paragraph shall oblige any State to deny entry or require the departure from its territories of its own nationals and this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process or the Committee determines on a case-by-case basis only that entry or transit is justified;

Arms Embargo

(c) Prevent the direct or indirect supply, sale, or transfer to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including

weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

Listing Criteria

2. *Decides* that acts or activities indicating that an individual, group, undertaking or entity is associated with ISIL or Al-Qaida and therefore eligible for inclusion in the ISIL (Da'esh) & Al-Qaida Sanctions List include:

(a) Participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(b) Supplying, selling or transferring arms and related materiel to;

(c) Recruiting for; or otherwise supporting acts or activities of Al-Qaida, ISIL, or any cell, affiliate, splinter group or derivative thereof;

3. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from crime, including the illicit cultivation, production and trafficking of narcotic drugs and their precursors;

4. *Confirms* that any individual, group, undertaking or entity either owned or controlled, directly or indirectly, by, or otherwise supporting, any individual, group, undertaking or entity associated with ISIL or Al-Qaida, including on the ISIL (Da'esh) & Al-Qaida Sanctions List, shall be eligible for listing;

5. *Confirms* that the requirements in paragraph 1 (a) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting and related services, used for the support of Al-Qaida, ISIL, and other individuals, groups, undertakings or entities included on the ISIL (Da'esh) & Al-Qaida Sanctions List;

6. *Confirms* that the requirements in paragraph 1 (a) above apply to funds, financial assets or economic resources that may be made available, directly or indirectly, to or for the benefit of listed individuals in connection with their travel, including costs incurred with respect to transportation and lodging, and that such travel-related funds, other financial assets or economic resources may only be provided in accordance with the exemption procedures set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and in paragraphs 10, 80 and 81 below;

7. *Notes* that the requirements in paragraph 1 (a) above apply to financial transactions involving any funds, economic resources or income-generating activities that benefit individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List,

including, but not limited to, trade in petroleum products, natural resources, chemical or agricultural products, weapons, or antiquities by listed individuals, groups, undertakings and entities, kidnapping for ransom, and the proceeds of other crimes including, trafficking in persons, extortion and bank robbery;

8. *Confirms* that the requirements in paragraph 1 (a) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the ISIL (Da'esh) & Al-Qaida Sanctions List, regardless of how or by whom the ransom is paid;

9. *Reaffirms* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

10. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (a) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), *confirms* that exemptions to the travel ban must be submitted by Member States, individuals or the Ombudsperson, as appropriate, including when listed individuals travel for the purpose of fulfilling religious obligations, and *notes* that the Focal Point mechanism established in resolution 1730 (2006) may receive exemption requests submitted by, or on behalf of, an individual, group, undertaking or entity on the ISIL (Da'esh) & Al-Qaida Sanctions List, or by the legal representative or estate of such individual, group, undertaking or entity, for Committee consideration, as described in paragraph 81 below;

Measures implementation

11. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

12. *Reaffirms* that those responsible for committing, organizing, or supporting terrorist acts must be held accountable, *recalls* its decision in resolution 1373 (2001) that Member States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, *underlines* the importance of fulfilling this obligation with respect to such investigations or proceedings involving ISIL, Al-Qaida and associated individuals, groups, undertakings and entities, and *urges* Member States to provide full coordination in such investigations or proceedings, especially with those States where, or against whose citizens, terrorist acts are committed, in accordance

with their obligations under international law, in order to find and bring to justice, extradite, or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by ISIL, Al-Qaida and associated individuals, groups, undertakings and entities;

13. *Reiterates* Member States' obligation to ensure that their nationals and persons in their territory not make available economic resources to ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities, *recalls also* that this obligation applies to the direct and indirect trade in petroleum and refined petroleum products, modular refineries, and related material including chemicals and lubricants, and other natural resources, and *recalls further* the importance of all Member States complying with their obligation to ensure that their nationals and persons within their territory do not make donations to individuals and entities designated by the Committee or those acting on behalf of or at the direction of designated individuals or entities;

14. *Encourages* all Member States to more actively submit to the Committee listing requests of individuals and entities supporting ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, and directs the Committee to immediately consider, in accordance with its resolution 2199 (2015), designations of individuals and entities engaged in financing, supporting, facilitating acts or activities, including in petroleum and antiquities trade-related activities with ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities;

15. *Recalls* its resolution 2331 (2016), reaffirms its intention to consider targeted sanctions for individuals and entities associated with ISIL or Al-Qaida involved in trafficking in persons in areas affected by armed conflict and in sexual violence in conflict, and encourages all Member States to consider submitting to the Committee listing requests in this regard;

16. *Expresses* increasing concern about the lack of implementation of resolutions 1267 (1999), 1989 (2011), 2199 (2015) and 2253 (2015) including the insufficient level of reporting by Member States to the Committee on the measures they have taken to comply with its provisions and *calls upon* Member States to take the necessary measures to fulfil their obligation under paragraph 12 of resolution 2199 to report to the Committee interdictions in their territory of any petroleum, petroleum products, modular refineries, and related material being transferred to or from ISIL or ANF, and *calls upon* Member States to report also such interdictions of antiquities, as well as the outcome of proceedings brought against individuals and entities as a result of any such activity;

17. *Strongly urges* all Member States to implement the comprehensive international standards embodied in the Financial Action Task Force's (FATF) revised Forty Recommendations on Combating Money

Laundering and the Financing of Terrorism and Proliferation, particularly Recommendation 6 on targeted financial sanctions related to terrorism and terrorist financing; to apply the elements in FATF's Interpretive Note to Recommendation 6, with the final objective of effectively preventing terrorists from raising, moving and using funds, in line with the objectives of Immediate Outcome 10 of the FATF methodology; to take note of, *inter alia*, related best practices for effective implementation of targeted financial sanctions related to terrorism and terrorist financing and the need to have appropriate legal authorities and procedures to apply and enforce targeted financial sanctions that are not conditional upon the existence of criminal proceedings; and to apply an evidentiary standard of proof of "reasonable grounds" or "reasonable basis", as well as the ability to collect or solicit as much information as possible from all relevant sources;

18. *Welcomes* the recent FATF reports on the Financing of the Terrorist Organization ISIL (published February 2015) and Emerging Terrorist Financing Risks (published October 2015), and ongoing FATF work related to terrorist financing, including the development of risk indicators related to terrorist financing, *welcomes* further the recent FATF guidance on criminalizing terrorist financing (October 2016), including Interpretive Note to Recommendation 5, clarifying that Recommendation 5 applies to "funds or other assets" and that this term covers the broadest range of financial assets and economic resources, including petroleum and petroleum products and other natural resources, and other assets which could be used to obtain funds, the relevant elements of resolution 2178 (2014), specifically clarifying that terrorist financing includes the financing of the travel of individuals who travel or attempt to travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training, and *highlights* that FATF Recommendation 5 applies to the financing of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act;

19. *Encourages* FATF to continue its efforts to prioritize countering terrorist financing, in particular identifying and working with Member States with strategic anti-money laundering and countering terrorist financing deficiencies that have hindered Member States from effectively countering the financing of terrorism, including by ISIL, Al-Qaida, and associated individuals, group, entities and undertakings, and in this regard, *reiterates* that the provision of economic resources to such groups is a clear violation of this and other relevant resolutions and is not acceptable;

20. *Clarifies* that the obligation in paragraph 1 (d) of resolution 1373 (2001) applies to making funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act;

21. *Calls upon* States to ensure that they have established as a serious criminal offence in their domestic laws and regulations the willful violation of the prohibition described in paragraph 1 (d) of resolution 1373 (2001);

22. *Calls upon* Member States to move vigorously and decisively to cut the flows of funds and other financial assets and economic resources to individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List, as required by paragraph 1 (a), and *taking into account* relevant FATF Recommendations and international standards designed to enhance financial transparency including effectively supervising the money value transfer systems and detecting and preventing the physical cross-border movement of currency to support terrorism, as well as to protect non-profit organizations, from terrorist abuse, using a risk-based approach, while working to mitigate the impact on legitimate activities through all of these mediums;

23. *Urges* Member States to remain vigilant about the use of information and communication technology for terrorist purposes and act cooperatively to prevent terrorists from recruiting and raising funds for terrorist purposes, and to counter their violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter narratives, while respecting human rights and fundamental freedoms and in compliance with obligations under international law, and *stresses* the importance of cooperation with civil society and the private sector in this endeavor;

24. *Urges* Member States to promote awareness of the ISIL (Da'esh) & Al-Qaida Sanctions List as widely as possible, including to relevant domestic agencies, the private sector and the general public to ensure effective implementation of the measures in paragraph 1 above and *encourages* Member States to urge that their respective company, property and other relevant public and private registries regularly screen their available databases, including but not limited to those with legal and/or beneficial ownership information, against the ISIL (Da'esh) & Al-Qaida Sanctions List;

25. *Highlights* the importance of strong relationships with the private sector in countering the financing of terrorism, *welcomes* the work by FATF to develop risk indicators related to terrorist financing and *calls upon* Member States to engage with financial institutions and share information on terrorist financing (TF) risks to provide greater

context for their work in identifying potential TF activity related to ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, and to promote stronger relationships between governments and the private sector as well as between private sector entities in countering terrorist financing;

26. Underscores that ransom payments to ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities continue to be one of the sources of income which supports their recruitment efforts, strengthens their operational capability to organize and carry out terrorist attacks, and incentivizes future incidents of kidnapping for ransom, and *reaffirms* the call upon Member States in resolution 2133 (2014) to prevent terrorists from benefiting directly or indirectly from ransom payments, or from political concessions and to secure the safe release of hostages;

27. *Urges* Member States to remain vigilant about the growing presence of ISIL and its affiliates around the world, and *further urges* Member States to identify and propose for listing individuals, groups, undertakings and entities that meet the criteria in paragraph 2 of this resolution;

28. *Recognizes* the importance of information sharing within and between governments to effectively counter the financing of terrorism, *calls upon* Member States to continue exercising vigilance over relevant financial transactions and improve information-sharing capabilities and practices within and between governments through multiple authorities and channels, including law enforcement, intelligence, security services, and financial intelligence units, and also *calls upon* Member States to improve integration and utilization of financial intelligence with other types of information available to national governments to more effectively counter the terrorist financing threats posed by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities;

29. *Decides* that Member States, in order to prevent ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities from obtaining, handling, storing, using or seeking access to all types of explosives, whether military, civilian or improvised explosives, as well as to raw materials and components that can be used to manufacture improvised explosive devices or unconventional weapons, including (but not limited to) chemical components, detonators, detonating cord, or poisons, shall undertake appropriate measures to promote the exercise of enhanced vigilance by their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction that are involved in the production, sale, supply, purchase, transfer and storage of such materials, including through the issuance of good practices, and *further encourages* Member States to

share information, establish partnerships, and develop national strategies and capabilities to counter improvised explosive devices;

30. *Encourages* Member States, including through their permanent missions, and relevant international organizations to meet the Committee for in-depth discussion on any relevant issues;

31. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

32. *Encourages* Member States to share, in accordance with their domestic laws and practices, with the private sector information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and, if a listed party is found to be using a false identity including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

33. *Encourages* Member States that issue travel documents to listed individuals to note, as appropriate, that the bearer is subject to the travel ban and corresponding exemption procedures;

34. *Encourages* Member States to consult the ISIL (Da'esh) & Al-Qaida Sanctions List when considering whether to grant travel visa applications, for the purpose of effectively implementing the travel ban;

35. *Reaffirms* its call upon Member States in resolution 2178 (2014) to require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee and further reaffirms its call upon Member States to report any such departure from their territories, or such attempted entry into or transit through their territories, of such individuals to the Committee, as well as sharing this information with the State of residence or nationality, as appropriate and in accordance with domestic law and international obligations;

36. *Calls upon* Member States to develop the capability to process Passenger Name Records (PNR) data and to ensure PNR data is used by the relevant national competent authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting and investigating terrorist offenses, and *encourages* Member States to require that, where appropriate, airlines under their jurisdiction provide PNR to their relevant national authorities;

37. *Reaffirms* its decision in resolution 2178 (2014) that all States shall ensure that their domestic laws and regulations establish serious criminal offenses sufficient to provide the ability to prosecute and to penalize in a manner duly reflecting the seriousness of such foreign terrorist fighter-related activities described in paragraph 6 of that resolution;

38. *Encourages* Member States to exchange information expeditiously with other Member States, in particular States of origin, destination and transit, when they detect the travel of individuals on the ISIL (Da'esh) & Al-Qaida Sanctions List;

39. *Calls upon* Member States to improve international, regional, and subregional cooperation to address the issue of foreign terrorist fighters returning to their countries of origin, transiting through, traveling to or relocating to or from other Member States, including through increased sharing of information, in accordance with domestic and international law, for the purpose of identifying such movement of foreign terrorist fighters, the sharing and adoption of best practices, and improved understanding of the patterns of travel and financing used by foreign terrorist fighters;

40. *Urges* Member States to expeditiously exchange information, through bilateral or multilateral mechanisms and in accordance with domestic and international law, concerning the identity of foreign terrorist fighters, including, as appropriate, foreign terrorist fighters of more than one nationality with Member States whose nationality the foreign terrorist fighter holds, as well as to ensure consular access by those Member States to their own detained nationals, in accordance with applicable international and domestic law;

41. *Encourages* designating States to inform the Monitoring Team whether a national court or other legal authority has reviewed a listed party's case and whether any judicial proceedings have begun, and to include any other relevant information when submitting the standard form for listing;

42. *Encourages* all Member States to designate national focal points in charge of liaising with the Committee and the Monitoring Team on issues related to the implementation of the measures described in paragraph 1 above and the assessment of the threat from ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities;

43. *Encourages* all Member States to report to the Committee on obstacles to the implementation of the measures described in paragraph 1 above, with a view to facilitating technical assistance;

44. *Calls upon* all States to submit an updated report to the Committee no later than 120 days from the date of adoption of this resolution on their implementation, including relevant enforcement actions as appropriate, of the measures referred to in paragraph 1 of this resolution;

The Committee

45. *Directs* the Committee to continue to ensure that fair and clear procedures exist for placing individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List and for removing them as well as for granting exemptions per resolution 1452 (2002), and *directs* the Committee to keep its guidelines under active review in support of these objectives;

46. *Requests* the Committee to report, through its Chair, at least once per year, to the Council on its findings regarding Member States' implementation efforts, and identify and recommend steps necessary to improve implementation and on the state of the overall work of the Committee and the Monitoring Team in conjunction with other Committee Chairs, as appropriate, and *expresses* its intention to hold informal consultations at least once per year on the work of the Committee and *further requests* the Chair to hold regular briefings for all interested Member States;

47. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and directs the Chair, in regular reports to the Council pursuant to paragraph 46, to provide progress reports on the Committee's work on this issue;

48. *Confirms* that no matter should be left pending before the Committee for a period longer than six months, unless the Committee determines on a case-by-case basis that extraordinary circumstances require additional time for consideration, in accordance with the Committee's guidelines;

49. *Requests* the Committee to facilitate, through the Monitoring Team or specialized United Nations agencies, assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

Listing

50. *Encourages* all Member States to submit to the Committee for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities;

51. *Reaffirms* that, when proposing names to the Committee for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List, Member States shall use the standard form for listing, available on the Committee's website, and provide a statement of case that should include as detailed and specific reasons as possible describing the proposed basis for the listing, and as much relevant information as possible on the proposed name, in

particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings, and entities, and to the extent possible, the information required by INTERPOL to issue a Special Notice, and *reaffirms* that the statement of case shall be releasable, upon request, except for the parts a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 55;

52. *Reaffirms* that Member States proposing a new listing, as well as Member States that have proposed names for inclusion on the ISIL (Da'esh) and Al-Qaida Sanctions List before the adoption of this resolution, shall specify if the Committee or the Ombudsperson may not make known the Member State's status as a designating State;

53. *Encourages* Member States to submit, where available and in accordance with their national legislation, photographs and other biometric data of individuals for inclusion in INTERPOL-United Nations Security Council Special Notices;

54. *Directs* the Committee to continue to update, as necessary, the standard form for listing in accordance with the provisions of this resolution; further *directs* the Monitoring Team to report to the Committee on further steps that could be taken to improve the quality of the ISIL (Da'esh) & Al-Qaida Sanctions List and Consolidated Sanctions List, including by improving identifying information, as well as steps to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities; and further *directs* the Secretariat, with the assistance of the Monitoring Team, to implement, disseminate and maintain the data model approved by the Committee in all official languages and *requests* the Secretary-General to provide additional resources in this regard;

55. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee's website, at the same time a name is added to the ISIL (Da'esh) & Al-Qaida Sanctions List, a narrative summary of reasons for listing that are as detailed and specific as possible, as well as additional relevant information;

56. *Encourages* Member States and relevant international organizations and bodies to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

57. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help inform the Committee's decision on listing and

provide additional material for the narrative summary of reasons for listing described in paragraph 54;

58. *Reaffirms* that the Secretariat shall, after publication but within three working days after a name is added to the ISIL (Da'esh) & Al-Qaida Sanctions List, notify the Permanent Mission of the State or States where the individual or entity is believed to be located and, in the case of individuals, the State of which the person is a national (to the extent this information is known), and *requests* the Secretariat to publish on the Committee's website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the ISIL (Da'esh) & Al-Qaida Sanctions List;

59. *Reaffirms* the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the listing and to include with this notification the narrative summary of reasons for listing, a description of the effects of listing, as provided in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraph 43 of resolution 2083 (2012) and annex II of this resolution, and the provisions of resolution 1452 (2002) and paragraphs 82 and 1 (b) of this resolution regarding available exemptions, including the possibility of submitting such requests through the Focal Point mechanism in accordance with paragraphs 10 and 82 of this resolution;

Review of Delisting Requests—Ombudsperson/Member States

60. *Decides* to extend the mandate of the Office of the Ombudsperson, established by resolution 1904 (2009), as reflected in the procedures outlined in annex II of this resolution, for a period of 24 months from the date of expiration of the Office of the Ombudsperson's current mandate in December 2019, *affirms* that the Ombudsperson shall continue to receive requests from individuals, groups, undertakings or entities seeking to be removed from the ISIL (Da'esh) & Al-Qaida Sanctions List in an independent and impartial manner and shall neither seek nor receive instructions from any government, and *further affirms* that the Ombudsperson shall continue to present to the Committee observations and a recommendation on the delisting of those individuals, groups, undertakings or entities that have requested removal from the ISIL (Da'esh) & Al-Qaida Sanctions List through the Office of the Ombudsperson, either a recommendation to retain the listing or a recommendation that the Committee consider delisting;

61. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall remain

in place with respect to that individual, group, undertaking or entity, where the Ombudsperson recommends retaining the listing in the Comprehensive Report of the Ombudsperson on a delisting request pursuant to annex II;

62. *Recalls* its decision that the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with annex II of this resolution, where the Ombudsperson recommends that the Committee consider delisting, unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

63. *Recalls* its decision that the Committee may, by consensus, shorten the 60-day period referred to in paragraph 62 on a case-by-case basis;

64. *Reiterates* that the measures referred to in paragraph 1 of this resolution are preventative in nature and are not reliant upon criminal standards set out under national law;

65. *Underscores* the importance of the Office of the Ombudsperson, and *requests* the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson by providing necessary resources, including for translation services, as appropriate, and to make the necessary arrangements to ensure its continued ability to carry out its mandate in an independent, effective and timely manner, and to keep the Committee updated on actions in this regard;

66. *Strongly urges* Member States to provide all relevant information to the Ombudsperson, including any relevant confidential information, where appropriate, *encourages* Member States to provide relevant information, including any detailed and specific information, when available and in a timely manner, *welcomes* those national arrangements entered into by Member States with the Office of the Ombudsperson to facilitate the sharing of confidential information, *strongly encourages* Member States' further progress in this regard, including by concluding arrangements with the Office of the Ombudsperson for the sharing of such information, and *confirms* that the Ombudsperson must comply

with any confidentiality restrictions that are placed on such information by Member States providing it;

67. *Strongly urges* Member States and relevant international organizations and bodies to encourage individuals and entities that are considering challenging or are already in the process of challenging their listing through national and regional courts to first seek removal from the ISIL (Da'esh) & Al-Qaida Sanctions List by submitting delisting petitions to the Office of the Ombudsperson;

68. *Notes* the Financial Action Task Force (FATF) international standards and, *inter alia*, best practices relating to targeted financial sanctions, as referenced in paragraph 22 of this resolution;

69. *Recalls* its decision that when the designating State submits a delisting request, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity after 60 days unless the Committee decides by consensus before the end of that 60-day period that the measures shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council;

70. *Also recalls* its decision that the Committee may, by consensus, shorten the 60-day period referred to in paragraph 69 on a case-by-case basis;

71. *Further recalls* its decision that, for purposes of submitting a delisting request in paragraph 69, consensus must exist between or among all designating States in cases where there are multiple designating States; and further *recalls* its decision that co-sponsors of listing requests shall not be considered designating States for purposes of paragraph 62;

72. *Strongly urges* designating States to allow the Ombudsperson to reveal their identities as designating States to those listed individuals and entities that have submitted delisting petitions to the Ombudsperson;

73. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider delisting requests of Member States for the removal from the ISIL (Da'esh) & Al-Qaida Sanctions List of individuals, groups, undertakings and entities that are alleged to no longer meet the criteria established in the relevant resolutions, and set out in

paragraph 2 of this resolution, and *strongly urges* Member States to provide reasons for submitting their delisting requests;

74. *Encourages* States to submit delisting requests for individuals who are officially confirmed to be dead, and for entities reported or confirmed to have ceased to exist, while at the same time taking all reasonable measures to ensure that assets that had belonged to these individuals or entities will not be transferred or distributed to other individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List or any other Security Council sanctions list;

75. *Encourages* Member States, when unfreezing the assets of a deceased individual or an entity that is reported or confirmed to have ceased to exist as a result of a delisting, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes;

76. *Reaffirms* that, prior to the unfreezing of any assets that have been frozen as a result of the listing of Usama bin Laden, Member States shall submit to the Committee a request to unfreeze such assets and shall provide assurances to the Committee that the assets will not be transferred, directly or indirectly, to a listed individual, group, undertaking or entity, or otherwise used for terrorist purposes in line with Security Council resolution 1373 (2001), and *decides* further that such assets may only be unfrozen in the absence of an objection by a Committee member within 30 days of receiving the request, and stresses the exceptional nature of this provision, which shall not be considered as establishing a precedent;

77. *Calls upon* the Committee when considering delisting requests to give due consideration to the opinions of designating State(s), State(s) of residence, nationality, location or incorporation, and other relevant States as determined by the Committee, *directs* Committee members to provide their reasons for objecting to delisting requests at the time the request is objected to, and *requests* the Committee to provide reasons to relevant Member States and national and regional courts and bodies, upon request and where appropriate;

78. *Encourages* all Member States, including designating States and States of residence, nationality, location or incorporation to provide all information to the Committee relevant to the Committee's review of delisting petitions, and to meet with the Committee, if requested, to convey their views on delisting requests, and further *encourages* the Committee, where appropriate, to meet with representatives of national or regional organizations and bodies that have relevant information on delisting petitions;

79. *Confirms* that the Secretariat shall, within three days after a name is removed from the ISIL (Da'esh) & Al-Qaida Sanctions List, notify the Permanent Mission of the State(s) of residence, nationality,

location or incorporation (to the extent this information is known), and *recalls* its decision that States receiving such notification shall take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual, group, undertaking or entity of the delisting in a timely manner;

80. *Reaffirms* that, in cases in which the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request, with the agreement of the petitioner, that the Committee consider granting exemptions to the restrictions on assets and travel in paragraphs 1 (a) and (b) of this resolution for the sole purpose of allowing the petitioner to meet travel expenses and travel to another State to be interviewed by the Ombudsperson for a period no longer than necessary to participate in this interview, provided that all States of transit and destination do not object to such travel, and further directs the Committee to notify the Ombudsperson of the Committee's decision;

Exemptions/Focal Point

81. *Recalls* that the assets freeze measures outlined in paragraph 1 above shall not apply to funds and other financial assets or economic resources that the Committee determines to be:

(a) necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources, following notification of intention to authorize access to such funds and in the absence of a negative decision by the Committee within 3 working days of the notification;

(b) necessary for extraordinary expenses, being expenses other than basic expenses, following notification of the intention to authorize release of such funds and approval of the Committee of the request within 5 working days of the notification, and where appropriate, there should be specific periods of time requested by the notifying Member States for such expenses;

82. *Reaffirms* that the Focal Point mechanism established in resolution 1730 (2006) may:

(a) Receive requests from listed individuals, groups, undertakings, and entities for exemptions to the measures outlined in paragraph 1 (a) of this resolution, as defined in resolution 1452 (2002) provided that the request has first been submitted for the consideration of the State of residence, and reaffirms further that the Focal

Point shall transmit such requests to the Committee for a decision, directs the Committee to consider such requests, including in consultation with the State of residence and any other relevant States, and further directs the Committee, through the Focal Point, to notify such individuals, groups, undertakings or entities of the Committee's decision;

(b) Receive requests from listed individuals for exemptions to the measures outlined in paragraph 1 (b) of this resolution and transmit these to the Committee to determine, on a case-by-case basis, whether entry or transit is justified, directs the Committee to consider such requests in consultation with States of transit and destination and any other relevant States, and reaffirms further that the Committee shall only agree to exemptions to the measures in paragraph 1 (b) of this resolution with the agreement of the States of transit and destination, and further directs the Committee, through the Focal Point, to notify such individuals of the Committee's decision;

83. *Reaffirms* that the Focal Point may receive, and transmit to the Committee for its consideration, communications from:

(a) individuals who have been removed from the ISIL (Da'esh) & Al-Qaida Sanctions List;

(b) individuals claiming to have been subjected to the measures outlined in paragraph 1 above as a result of false or mistaken identification or confusion with individuals included on the ISIL (Da'esh) & Al-Qaida Sanctions List;

84. *Directs* the Committee, with the assistance of the Monitoring Team and in consultation with relevant States, to carefully consider such communications and to respond, through the Focal Point, to such communications referred to in paragraph 83 (b), as may be appropriate, within 60 days, and *further directs* the Committee, in consultation with INTERPOL as may be appropriate, to communicate with Member States as may be appropriate to address possible or confirmed cases of false or mistaken identity or confusion with individuals included on the ISIL (Da'esh) & Al-Qaida Sanctions List;

Review and maintenance of the ISIL (Da'esh) & Al-Qaida Sanctions List

85. *Encourages* all Member States, in particular designating States and States of residence, nationality, location or incorporation, to submit to the Committee additional identifying and other information, including where possible and in accordance with their national legislation, photographs and other biometric data of individuals along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death

of listed individuals and other significant events, as such information becomes available;

86. *Requests* the Monitoring Team to circulate to the Committee every twelve months a list compiled in consultation with the respective designating States and States of residence, nationality, location or incorporation, where known, of:

(a) individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them;

(b) individuals on the ISIL (Da'esh) & Al-Qaida Sanctions 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;

(c) individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List that are reported or confirmed to have ceased to exist, along with an assessment of any relevant information;

(d) any other names on the ISIL (Da'esh) & Al-Qaida Sanctions List that have not been reviewed in three or more years (“the triennial review”);

87. *Directs* the Committee to review whether these listings remain appropriate, and *further directs* the Committee to remove listings if it decides they are no longer appropriate;

88. *Directs* the Monitoring Team to refer to the Chair for review listings for which, after three years, no relevant State has responded in writing to the Committee’s requests for information, and in this regard, *reminds* the Committee that its Chair, acting in his or her capacity as Chair, may submit names for removal from the ISIL (Da'esh) & Al-Qaida Sanctions List, as appropriate and subject to the Committee’s normal decision-making procedures;

Coordination and outreach

89. *Directs* the Committee to continue to cooperate with other relevant Security Council Sanctions Committees, in particular those established pursuant to resolutions 751 (1992) and 1907 (2009), 1988 (2011), 1970 (2011) and 2140 (2014);

90. *Reiterates* the need to enhance ongoing cooperation among the Committee and United Nations counter-terrorism bodies, including the Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced

information-sharing, coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to these bodies;

91. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime, to continue their joint activities, in cooperation with the Counter-Terrorism Executive Directorate (CTED) and 1540 Committee experts to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including through organizing regional and subregional workshops;

92. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with this resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2082 (2012), 2083 (2012), and 2133 (2014), 2161 (2014), 2178 (2014), 2195 (2014), 2199 (2015), and 2214 (2015) and 2253 (2015);

93. *Directs* the Committee to consider requests for information from States and international organizations with ongoing judicial proceedings concerning implementation of the measures imposed in paragraph 1 above, and to respond as appropriate with additional information available to the Committee and the Monitoring Team;

Monitoring Team

94. *Decides*, in order to assist the Committee in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team and its members, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of twenty four months from the expiration of its current mandate in December 2019, under the direction of the Committee with the responsibilities outlined in annex I, and *requests* the Secretary-General to make the necessary arrangements to this effect, and *welcomes* the restructuring under way in the Secretariat which will allow the Monitoring Team to receive and fully enjoy the benefits of the additional substantive and administrative staff and resources requested in paragraph 90 of resolution 2253 (2015) to effectively, safely, and in a timely manner fulfil its mandate, including with regard to duty of care in high-risk environments, under the direction of the Committee, a subsidiary organ of the Security Council, and *requests* further updates from the Secretariat by December 17 2017 on the restructuring;

95. *Directs* the Monitoring Team, in its comprehensive, independent reports to the Committee referred to in paragraph (a) of annex 1, to report on relevant thematic and regional topics and developing trends as may be requested by the Security Council or the Committee following the adoption of this resolution;

96. *Encourages* relevant United Nations Missions, within their existing mandates, resources, and capabilities, to assist the Committee and the Monitoring Team, such as through logistical support, security assistance, and exchange of information in their work relevant to the threat by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities in their respective areas of deployment;

97. *Directs* the Monitoring Team to identify, gather information on, and keep the Committee informed of instances and common patterns of non-compliance with the measures imposed in this resolution, as well as to facilitate, upon request by Member States, assistance on capacity-building, requests the Monitoring Team to work closely with State(s) of residence, nationality, location or incorporation, designating States, other relevant States, and relevant United Nations Missions, and further directs the Monitoring Team to provide recommendations to the Committee on actions taken to respond to non-compliance;

98. *Directs* the Committee, with the assistance of its Monitoring Team, to hold special meetings on important thematic or regional topics and Member States' capacity challenges, in consultation, as appropriate, with the Counter Terrorism Committee and CTED, CTITF, and with the FAFT to identify and prioritize areas for the provision of technical assistance to enable more effective implementation by Member States;

99. *Requests* the Analytical Support and Sanctions Monitoring Team to provide the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) on a quarterly basis oral briefings on its analysis of global implementation of resolutions 2199 (2015) and 2178 (2014) including gathered information and analysis relevant to potential sanctions designations by Member States or Committee actions that could be taken;

100. *Recalls* its request in paragraph 14 of resolution 2331 (2016) to the Analytical Support and Sanctions Monitoring Team, when consulting with Member States, to include in their discussions the issue of trafficking in persons in the areas of armed conflict and the use of sexual violence in armed conflict as it relates to ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and to report to the Committee on these discussions as appropriate;

ISIL Reporting

101. *Emphasizing* the threat posed to international peace and security by ISIL and associated individuals, groups, undertakings, and entities, *requests* the Secretary-General to continue to provide strategic-level reports that demonstrate and reflect the gravity of the aforementioned threat, including from foreign terrorist fighters joining ISIL and associated groups and entities, foreign terrorist fighters returning to their countries of origin, transiting through, traveling to or relocating to or from other Member States, and the sources of financing of these groups and entities including through illicit trade in petroleum, antiquities, and other natural resources, as well as their planning and facilitation of attacks, any support to ISIL, Al-Qaida or any individual included on the ISIL and Al-Qaida Sanctions List, and reflects the range of United Nations efforts in support of Member States in countering this threat, the next report to be provided by 31 January 2018 and then every six months thereafter, with the input of CTED, in close collaboration with the Monitoring Team, as well as other relevant United Nations actors;

Additions to the Sanctions List

102. *Decides* that the individuals and entities specified in Annex III of this resolution shall be subject to the measures imposed in paragraph 1 of this resolution and added to the ISIL (Da'esh) and Al-Qaida Sanctions List;

103. *Directs* the Committee to make accessible on the Committee's website the narrative summaries of reasons and list entries for listing the individuals and entities specified in Annex III of this resolution as agreed by the Council and *confirms* that the provisions of this resolution and subsequent relevant resolutions shall apply to the names specified in Annex III for so long as they remain on the ISIL (Da'esh) and Al-Qaida Sanctions List;

Reviews

104. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months or sooner if necessary;

105. *Decides* to remain actively seized of the matter.

ANNEX I

In accordance with paragraph 94 of this resolution, the Monitoring Team shall operate under the direction of the Committee and shall have the following mandates and responsibilities:

- (a) To submit, in writing, comprehensive, independent reports to the Committee, every six months, the first by 31 December 2017, on the following issues:
- (i) implementation by Member States of the measures referred to in paragraph 1 of this resolution;
 - (ii) the global threat posed by ISIL, Al-Qaida, al-Nusrah Front and associated individuals, groups, undertakings, and entities, including (but not limited to) the threat posed by the presence of ISIL and its affiliates in Iraq, the Syrian Arab Republic, Libya, and Afghanistan and beyond, and the threats presented by Boko Haram;
 - (iii) the impact of the measures in resolution 2199 (2015) and resolution 2253 (2015) including progress on implementation of these measures, unintended consequences and unexpected challenges, as mandated in that resolutions in the form of updates on each of the following subjects: petroleum and petroleum products trade; trade in cultural property; kidnapping for ransom and external donations; natural resources; the proceeds of crimes including trafficking in persons, extortion and bank robbery direct or indirect supply; sale or transfer of arms and related material of all types; as part of the impact assessment, pursuant to paragraph 30 of resolution 2199 (2015);
 - (iv) the threat posed by foreign terrorist fighters recruited by or joining Al-Qaida, ISIL, and all other associated groups, undertakings;
 - (v) any other issues that the Security Council or the Committee requests the Monitoring Team to include in its comprehensive reports as set forth in paragraph 95 of this resolution; and
 - (vi) specific recommendations related to improved implementation of relevant sanctions measures, including those referred to in paragraph 1 of this resolution, resolution 2178 (2014) and resolution 2199 (2015), and possible new measures;
- (b) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution, including by providing updated information on those individuals, groups, undertakings or entities seeking their removal from the ISIL (Da'esh) & Al-Qaida Sanctions List;
- (c) To assist the Committee in regularly reviewing names on the ISIL (Da'esh) & Al-Qaida Sanctions List, including by undertak-

ing travel on behalf of the Committee, as a subsidiary organ of the Security Council and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(d) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(e) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with CTED and the 1540 Committee's group of experts to avoid duplication and reinforce synergies;

(f) To work closely and share information with CTED and the 1540 Committee's group of experts to identify areas of convergence and overlap and to help facilitate concrete coordination, including in the area of reporting, among the three Committees;

(g) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(h) To gather information, on behalf of the Committee, on instances of reported non-compliance with the measures referred to in paragraph 1 of this resolution, including by collating information from all relevant sources, including Member States, and engaging with related parties, pursuing case studies, both on its own initiative and upon the Committee's request, and to provide cases of non-compliance and recommendations to the Committee on actions to respond to such cases of non-compliance for its review;

(i) To present to the Committee recommendations, which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the ISIL (Da'esh) & Al-Qaida Sanctions List;

(j) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary referred to in paragraph 55 of this resolution;

(k) To consult with the Committee or any relevant Member States, as appropriate, when identifying that certain individuals or entities

should be added to, or removed from, the ISIL (Da'esh) & Al-Qaida Sanctions List;

(l) To bring to the Committee's attention new or noteworthy circumstances that may warrant a delisting, such as publicly reported information on a deceased individual;

(m) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(n) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the state of visit where appropriate;

(o) To cooperate closely with relevant United Nations counter-terrorism bodies in providing information on the measures taken by Member States on kidnapping and hostage-taking for ransom by Al-Qaida, ISIL, and associated individuals, groups, undertakings, and entities, and on relevant trends and developments in this area;

(p) To encourage Member States to submit names and additional identifying information for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List, as instructed by the Committee;

(q) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the ISIL (Da'esh) & Al-Qaida Sanctions List as updated and accurate as possible;

(r) To encourage Member States to provide information to the Monitoring Team that is relevant to the fulfilment of its mandate, as appropriate;

(s) To study and report to the Committee on the changing nature of the threat of Al-Qaida and ISIL, and the best measures to confront them, including by developing, within existing resources, a dialogue with relevant scholars, academic bodies and experts through an annual workshop and/or other appropriate means, in consultation with the Committee;

(t) To collate, assess, monitor, report on, and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 of this resolution as it pertains to preventing the criminal misuse of the Internet by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, which shall be included in the Monitoring Team's regular report as outlined in section (a) of this annex; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(u) To consult with Member States and other relevant organizations, including the International Air Transport Association (IATA), the International Civil Aviation Organization (ICAO),

the World Customs Organization (WCO), INTERPOL, the Financial Action Task Force (FATF) and its regional bodies as well as the United Nations Educational, Scientific and Cultural Organization (UNESCO), including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be reflected in the Monitoring Team's reports referred to in paragraph (a) of this annex, such as gaps and challenges in States' implementation of the measures in this resolution;

(v) To consult, in confidence, with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen implementation of the measures;

(w) To consult with Member States, relevant representatives of the private sector, including financial institutions and relevant non-financial businesses and professions, and international and regional organizations, including FATF and its regional bodies, to promote awareness of, and enhanced compliance with, and to learn about the practical implementation of the asset freeze and to develop recommendations for the strengthening of the implementation of that measure;

(x) To consult with Member States, relevant representatives of the private sector and international and regional organizations, including ICAO, IATA, WCO and INTERPOL, to promote awareness of, and enhanced compliance with, and to learn about the practical implementation of the travel ban, including the use of advanced passenger information provided by civil aircraft operators to Member States, and to develop recommendations for the strengthening of the implementation of that measure;

(y) To consult with Member States, relevant representatives of international and regional organizations and the private sector, in coordination with national authorities, as appropriate, to promote awareness of, enhance compliance with, and to learn about the practical implementation of the arms embargo, with a particular emphasis on measures to counter the use of improvised explosive devices (IEDs) by listed individuals, groups, undertakings and entities and the procurement of related components used to construct IEDs, in particular (but not limited to) trigger mechanisms, explosive precursors, commercial grade explosives, detonators, detonating cords, or poisons;

(z) To assist the Committee in facilitating assistance on capacity-building for enhancing implementation of the measures, upon request by Member States;

(aa) To work with INTERPOL and Member States to obtain photographs and, in accordance with their national legislation, biometric information of listed individuals for possible inclusion in INTERPOL-United Nations Security Council Special Notices, to work with INTERPOL to ensure that INTERPOL-United Nations Security Council Special Notices exist for all listed individuals, groups, undertakings, and entities; and to further work with INTERPOL, as appropriate, to address possible or confirmed cases of false or mistaken identity, with a view to reporting to the Committee on such instances and proposing any recommendations;

(bb) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006), and to work, in consultation with the Secretariat, to standardize the format of all United Nations sanctions lists and the Consolidated Sanctions List so as to facilitate implementation by national authorities;

(cc) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(dd) Any other responsibility identified by the Committee.

ANNEX II

In accordance with paragraph 60 of this resolution, 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 ISIL (Da'esh) & Al-Qaida Sanctions List or by the legal representative or estate of such individual, group, undertaking or entity ("the petitioner").

The Council recalls that Member States are not permitted to submit delisting petitions on behalf of an individual, group, undertaking or entity to the Office of the Ombudsperson.

Information gathering (four 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;

- (d) Inform the petitioner in case the petition fails to properly address the original listing criteria, as set forth in paragraph 2 of this resolution, and return it to the petitioner for his or her consideration; and
- (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 relevant additional information, return it to the petitioner, with an appropriate explanation, 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 United Nations bodies, and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within four 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. Where all designating States consulted by the Ombudsperson do not object to the petitioner's delisting, the Ombudsperson may shorten the information gathering period, as appropriate.

4. The Ombudsperson shall also immediately forward the delisting request to the Monitoring Team, which shall provide to the Ombudsperson, within four 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
- (c) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the delisting request.

5. At the end of this four-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, and any significant challenges encountered therein. 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)

6. 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 8 below. The Ombudsperson may shorten this time period if he or she assesses less time is required.

7. During this period of engagement, the Ombudsperson:

(a) May submit questions, either orally or in writing, to the petitioner, 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) Should request from the petitioner a signed statement in which the petitioner declares that they have no ongoing association with Al-Qaida, ISIL, or any cell, affiliate, splinter group, or derivative thereof, and undertakes not to associate with Al-Qaida or ISIL in the future;

(c) Should meet with the petitioner, to the extent possible;

(d) 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;

(e) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner;

(f) During the information gathering or dialogue phase, the Ombudsperson may share with relevant States information provided by a State, including that State's position on the delisting request, if the State which provided the information consents;

(g) In the course of the information gathering and dialogue phases and in the preparation of the report, the Ombudsperson shall not disclose any information shared by a state on a confidential basis, without the express written consent of that state; and

(h) During the dialogue phase, the Ombudsperson shall give serious consideration to the opinions of designating States, as well as other Member States that come forward with relevant information, in particular those Member States most affected by acts or associations that led to the original listing.

8. Upon completion of the period of engagement described above, the Ombudsperson, 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 recommendation, lay out for the Committee the principal arguments concerning the delisting request. The recommendation should state the Ombudsperson's views with respect to the listing as of the time of the examination of the delisting request.

Committee discussion

9. After the Committee has had fifteen days to review the Comprehensive Report in all official languages of the United Nations, the Chair of the Committee shall place the delisting request on the Committee's agenda for consideration.

10. When the Committee considers the delisting request, the Ombudsperson, shall present the Comprehensive Report in person and answer Committee members' questions regarding the request.

11. Committee consideration of the Comprehensive Report shall be completed no later than thirty days from the date the Comprehensive Report is submitted to the Committee for its review.

12. After the Committee has completed its consideration of the Comprehensive Report, the Ombudsperson may notify all relevant States of the recommendation.

13. Upon the request of a designating State, State of nationality, residence, or incorporation, and with the approval of the Committee, the Ombudsperson may provide a copy of the Comprehensive Report, with any redactions deemed necessary by the Committee, to such States, along with a notification to such States confirming that:

- (a) All decisions to release information from the Ombudsperson's Comprehensive Reports, including the scope of information, are made by the Committee at its discretion and on a case-by-case basis;
- (b) The Comprehensive Report reflects the basis for the Ombudsperson's recommendation and is not attributable to any individual Committee member; and

(c) The Comprehensive Report, and any information contained therein, should be treated as strictly confidential and not shared with the petitioner or any other Member State without the approval of the Committee.

14. In cases where the Ombudsperson recommends retaining the listing, the requirement for States to take the measures in paragraph 1 of this resolution shall remain in place with respect to that individual, group, undertaking or entity, unless a Committee member submits a delisting request, which the Committee shall consider under its normal consensus procedures.

15. In cases where the Ombudsperson recommends that the Committee consider delisting, the requirement for States to take the measures described in paragraph 1 of this resolution shall terminate with respect to that individual, group, undertaking or entity 60 days after the Committee completes consideration of a Comprehensive Report of the Ombudsperson, in accordance with this annex II, including paragraph 7 (h), unless the Committee decides by consensus before the end of that 60-day period that the requirement shall remain in place with respect to that individual, group, undertaking or entity; provided that, in cases where consensus does not exist, the Chair shall, on the request of a Committee Member, submit the question of whether to delist that individual, group, undertaking or entity to the Security Council for a decision within a period of 60 days; and provided further that, in the event of such a request, the requirement for States to take the measures described in paragraph 1 of this resolution shall remain in force for that period with respect to that individual, group, undertaking or entity until the question is decided by the Security Council.

16. Following the conclusion of the process described in paragraphs 61 and 62 of this resolution, the Committee shall convey, within 60 days, to the Ombudsperson, whether the measures described in paragraph 1 are to be retained or terminated, and approve an updated narrative summary of reasons for listing, where appropriate. In cases where the Committee informs the Ombudsperson that it has followed his or her recommendation, the Ombudsperson immediately informs the Petitioner of the Committee's decision and submits to the Committee, for its review, a summary of the analysis contained in the Comprehensive Report. The Committee reviews the summary within 30 days of the decision to retain or terminate the listing, and communicates its views on the summary to the Ombudsperson. The purpose of the Committee's review is to address any security concerns, including to review if any information confidential to the Committee is inadvertently included in the summary. Following the Committee's review, the Ombudsperson transmits the summary to the Petitioner. The summary shall accurately describe the principal reasons for the recommendation

of the Ombudsperson, as reflected in the analysis of the Ombudsperson. In his or her communication with the Petitioner, the Ombudsperson will specify that the summary of the analysis does not reflect the views of the Committee or of any of its members. In cases where the listing is retained, the summary of the analysis shall cover all the arguments for delisting by the Petitioner to which the Ombudsperson responded. In cases of delisting, the summary shall include the key points of the analysis of the Ombudsperson. In cases where the Committee informs the Ombudsperson that it has not followed his or her recommendation or that the Chair has submitted the question to the Security Council under paragraph 15 of this Annex, the Committee communicates to the Ombudsperson, within 30 days of its decision or the Council's decision, the reasons for this decision for transmission to the Petitioner. These reasons shall respond to the principal arguments of the Petitioner.

17. After the Ombudsperson receives the communication from the committee under paragraph 16 of Annex II, if the measures in paragraph 1 are to be retained, the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, a letter that:

- (a) Communicates the outcome of the petition;
- (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 16 of Annex II above.

18. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

19. The Ombudsperson may notify the petitioner, as well as those States relevant to a case but which are not members of the Committee, of the stage at which the process has reached.

Other Office of the Ombudsperson Tasks

20. 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;
- (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 79 of this resolution; and
- (c) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

ANNEX III

1. *Muhammad Bahrum Naim Anggih Tamtomo*

Muhammad Bahrum Naim Anggih Tamtomo is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “recruiting for,” and “otherwise supporting acts or activities of” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

2. *Hanifa Money Exchange Office (branch located in Albu Kamal, Syrian Arab Republic)*

Hanifa Money Exchange Office (branch located in Albu Kamal, Syrian Arab Republic) is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “supplying, selling or transferring arms and related materiel to,” “otherwise supporting acts or activities of,” and being “either owned or controlled, directly or indirectly by, or otherwise supporting” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

3. *Selselat al-Thabab*

Selselat al-Thabab is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” and “otherwise supporting acts or activities of” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

4. *Jaysh Khalid Ibn al Waleed*

Jaysh Khalid Ibn al Waleed is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “supplying, selling or transferring arms and related materiel to,” “otherwise supporting acts or activities of,” and being “either owned or controlled, directly or indirectly by, or otherwise supporting” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

5. *Malik Ruslanovich Barkhanoev*

Malik Ruslanovich Barkhanoev is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “recruiting for,” and “otherwise supporting acts or activities of” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

6. *Murad Iraklievich Margoshvili*

Murad Iraklievich Margoshvili is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “recruiting for,” and “otherwise supporting acts or activities of” Jabhat Fatah al-Sham, listed as Al-Nusrah Front for the People of the Levant (QDe.137).

7. *Oman Rochman*

Oman Rochman is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “recruiting for,” and “otherwise supporting acts or activities of” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

8. *Jund al Aqsa*

Jund al Aqsa is associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of,” “supplying, selling or transferring arms and related materiel to,” “otherwise supporting acts or activities of,” and being “either owned or controlled, directly or indirectly by, or otherwise supporting” Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq (QDe.115).

