



Security Council

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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 15 April 2002 from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Chairman of the Committee

Implementation of Security Council resolution 1390 (2002) by the United Kingdom of Great Britain and Northern Ireland

Pursuant to paragraph 6 of Security Council resolution 1390 (2002), I should like to inform the Committee of the steps taken by Her Majesty's Government to implement and enforce the mandatory measures contained in the resolution.

Asset freeze

Provisions freezing funds of individuals designated by the Committee established pursuant to resolution 1267 (1999) and placing restrictions on providing and making available funds to designated individuals are contained in secondary legislation enacted under the United Nations Act 1946. This secondary legislation — the Al-Qa`ida and Taliban (United Nations Measures) Order 2002 (Statutory Instrument (SI) number 111/2002, subsequently amended in detail by SI 251/2002) — came into force on 25 January. A copy of this instrument can be found at the following e-mail address: <http://www.hms0.gov.uk/si/si2002/20020111.htm>.

The Order applies to any person within the United Kingdom, any person elsewhere who is a British Citizen, British Dependent Territories citizen, British Overseas citizen, British subject, British National (Overseas), British protected person, or body incorporated or constituted under the law of any part of the United Kingdom. Similar orders impose the same restrictions in relation to the Overseas Territories. In the Crown Dependencies implementation was by means of Statutory Instruments 258 and 259 and came into force on 14 February 2002.

The Bank of England issues notices to British banks and financial institutions to ensure that the most up to date information on persons and entities subject to asset freezes is available to them. It is the responsibility of the banks and financial institutions to freeze any suspected funds and notify the Bank of England when they have reasonable cause to believe that these assets belong to a designated individual

or entity. Since the adoption of Security Council resolution 1390 (2002) three such notices have been issued.

Since the original asset freeze imposed by resolution 1267 (1999), the United Kingdom has managed to identify and freeze a total of 70,055,343.91 pounds sterling belonging to designated persons and entities. Since the adoption of resolution 1390 (2002), the United Kingdom has not identified any further accounts or funds belonging to persons or entities on the designated list. The United Kingdom is however, pleased to announce that a total of £69,734,291.09 has been released following resolution 1388 (2002) and Sanctions Committee decisions to remove entities from the designated list in the past three months. Therefore the current total remaining frozen under resolution 1390 (2002) is £321,052.82.

Travel ban

The travel ban on individuals designated by the Committee established pursuant to resolution 1267 (1999) was implemented in the United Kingdom using administrative powers and subsequently using secondary legislation under section 8B of the Immigration Act 1971. This secondary legislation — the Immigration (Designation of Travel Bans) (Amendment) Order 2002 — came into force on 6 February 2002. The Immigration Act provides for the exclusion from the United Kingdom of persons subject to such United Nations or European Union travel bans as have been designated by Order. Under section 8B, unless one of the exceptions set out in the designating Order applies, an excluded person must either be refused leave to enter or remain in the United Kingdom, or have his existing leave cancelled. The travel ban is implemented administratively in the United Kingdom Overseas Territories and Crown Dependencies.

All United Kingdom immigration officers are informed of the designation and no visas for entry into the United Kingdom are issued for designated individuals.

The Committee may wish to note that the United Kingdom had previously taken steps using powers under the Immigration Act 1971 to fully implement the non-mandatory travel ban contained in Security Council resolution 1333 (2001).

Arms embargo

An embargo on the supply, delivery or export of arms and related materiel and the provision of any technical assistance or training related to the supply, delivery, manufacture, maintenance or use of any restricted goods or military activities to any person designated by the Sanctions Committee in the list maintained by that Committee in accordance with resolution 1390 (2002) is also imposed under the Al-Qa`ida and Taliban (United Nations Measures) Order 2002 (Statutory Instrument (SI) number 111/2002).

Pursuant to this order, and to minimize the risk of diversion, the United Kingdom has put in place procedures to ensure that applications for the export of military listed goods to all destinations are carefully scrutinized to ensure there is no involvement of individuals designated by the Committee.

Monitoring Group

The United Kingdom has fully cooperated with the Monitoring Group set up pursuant to paragraph 4 (a) of resolution 1363 (2001), but is unable to comment on whether there are any ongoing investigations and enforcement actions owing to the possibility of compromising any such investigations or enforcement actions.
