

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

GUIDELINES OF THE COMMITTEE FOR THE CONDUCT OF ITS WORK

Adopted on 7 November 2002, as amended on 10 April 2003, 21 December 2005,
29 November 2006, 12 February 2007, 9 December 2008, 22 July 2010, 26 January 2011,
30 November 2011, and 15 April 2013

1. The Al-Qaida Sanctions Committee

- (a) The Committee of the Security Council established by paragraph 6 of Security Council resolution 1267 (1999) of 15 October 1999 is known as the Al-Qaida Sanctions Committee. Its functions were modified by resolutions 1390 (2002) of 16 January 2002, 1526 (2004) of 30 January 2004, 1617 (2005) of 29 July 2005, 1730 (2006) of 19 December 2006, 1735 (2006) of 22 December 2006, 1822 (2008) of 30 June 2008, 1904 (2009) of 17 December 2009, 1989 (2011) of 17 June 2011 and 2083 of 17 December 2012. For the purposes of these guidelines, the Al-Qaida Sanctions Committee shall hereinafter be referred to as “the Committee.”
- (b) The Committee is a subsidiary organ of the Security Council and will consist of all Members of the Council.
- (c) The Chair of the Committee will be appointed by the Security Council to serve in his/her personal capacity. The Chair will be assisted by two delegations who will act as Vice-Chairs, and who will also be appointed by the Security Council.
- (d) The Chair will chair meetings of the Committee. When he/she is unable to chair a meeting, he/she will nominate one of the Vice-Chairs or another representative of his/her Permanent Mission to act on his/her behalf.
- (e) The Secretariat of the Committee will be provided by the Secretariat of the United Nations.

2. Mandate of the Committee

The mandate of the Committee shall be, on the basis of the measures imposed by paragraph 4 (b) of resolution 1267 (1999), paragraph 8 (c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002) as reiterated in paragraph 1 of resolutions 1526 (2004), 1617 (2005), 1735 (2006), 1822 (2008), 1904 (2009), 1989 (2011) and 2083 (2012), to undertake the tasks and to report on its work to the Council with its observations and recommendations as prescribed by the resolutions outlined above.

3. Meetings of the Committee

- (a) Meetings of the Committee, both formal and informal, will be convened at any time the Chair deems necessary, or at the request of a Member of the Committee. To the extent possible, four working days notice will be given for any meeting of the Committee, although shorter notice may be given in urgent situations.

- (b) The Committee will meet in closed sessions, unless it decides otherwise. The Committee may invite any Member of the United Nations to participate in the discussion of any question brought before the Committee in which interests of that Member are specifically affected. The Committee will consider requests from Member States and relevant international organizations to send representatives to meet with the Committee as described in section 13, paragraph (e). The Committee may invite members of the Secretariat or other persons to provide the Committee with appropriate expertise or information or to give it other assistance in examining matters within its competence.
- (c) The Committee may invite the members of the Monitoring Team established pursuant to paragraph 7 of resolution 1526 (2004), and/or the Ombudsperson to attend meetings as appropriate.
- (d) When the Committee considers a delisting request submitted to the Ombudsperson, the Chair shall invite the Ombudsperson, aided by the Monitoring Team, as appropriate, to present his/her Comprehensive Report in person and answer Committee Members' questions regarding the request.

4. Decision-making

- (a) The Committee shall make decisions by consensus of its Members. If consensus cannot be reached on a particular issue, including listing and delisting, the Chair should undertake such further consultations as may facilitate agreement. If after these consultations consensus still cannot be reached the matter may be submitted to the Security Council by the member concerned. The provisions of this paragraph are without prejudice to the special procedures stipulated in paragraphs 21 and 26 of resolution 2083 (2012).
- (b) Decisions will be taken by a written procedure. In such cases the Chair will circulate to all Members of the Committee the proposed decision of the Committee, and will request Members of the Committee to indicate any objection they may have to the proposed decision within five full working days or, in urgent situations, such shorter period as the Chair shall determine.
- (c) Listing and delisting requests, together with all relevant information in accordance with the guidelines, as assessed by the Chair, shall be considered in accordance with section 6 paragraph (n) and section 7 paragraph (f) respectively. If no objection is received by the end of the specified period, the decision will be deemed adopted.
- (d) Communications submitted to the Committee pursuant to paragraph 1 of resolution 1452 (2002) shall be considered in accordance with the procedure determined by that resolution, as revised by resolutions 1735 (2006) and 2083 (2012).
- (e) Subject to paragraphs 4 (j) and (k), and in the absence of any objection being indicated within the specified period for the decision provided for in paragraph 4 (b), a Committee Member may request more time to consider a proposal by placing a hold on the decision. For the duration of the validity of any hold placed on a matter, the decision on that matter will be considered "pending". The Secretariat shall notify the Committee as soon as a decision becomes pending, include the matter in the list of pending issues and inform the State(s) submitting the request or, where appropriate, the Ombudsperson that the matter is still under the Committee's consideration. For so long as a matter is included on the list of

pending issues, any Committee Member may place its own hold on that matter. The Secretariat shall notify the Committee as soon as a hold is placed on a pending matter.

- (f) If a holding Committee Member requires additional information to resolve the pending matter, it may ask the Committee to request additional information on that specific matter from the State(s) concerned.
- (g) A holding Committee Member shall provide updates after three months on its progress in resolving the pending matter.
- (h) Subject to paragraphs 4 (j) and (k), a matter will remain on the list of pending issues until either:
 - i. one Committee Member with a hold on the matter indicates that they object to the proposed decision; or
 - ii. all Committee Members with holds placed on the matter lift those holds without indicating an objection to the proposed decision.
- (i) If all holds placed on a matter are lifted before 12:00 (noon, EST) on any given working day within the timeframe established in paragraphs 4 (j) and (k), the Secretariat shall immediately take the necessary steps, including updating the Al-Qaida Sanctions List that same day, and inform the State(s) concerned and, where appropriate, the Ombudsperson, about the Committee's decision. If all holds placed on a matter are lifted after 12:00 (noon, EST) on any given working day within the timeframes set out in paragraphs 4(j) and (k), the Secretariat shall take the necessary steps, including updating the Al-Qaida Sanctions List the following working day, and inform the State(s) concerned and, where appropriate, the Ombudsperson, about the Committee's decision.
- (j) The Committee shall ensure that no matter is left pending for a period longer than is provided for by a relevant resolution, or, where no time for a decision is provided for by a resolution, then six months from the end of the original no-objection period. At the end of the relevant period, and without prejudice to the provisions set out in paragraph 4 (a) above, a matter still pending shall be deemed approved.
- (k) For matters where no time for a decision is provided for by a resolution, and before the expiry of the six month period referred to above, a holding Committee Member may request additional time to consider the proposal on the basis that extraordinary circumstances exist. In such cases, the Committee may extend the time for consideration by up to three months from the end of the six month period. At the end of this additional period, a matter still pending shall be deemed approved.
- (l) The Committee will review once a month, as necessary, the status of pending issues as updated by the Secretariat, including updates provided by Committee Members.
- (m) A hold placed on a matter by a Member of the Committee will cease to have effect at the time its membership of the Committee ends. New Members shall be informed of all pending matters one month before their membership of the Committee begins.

5. The Al-Qaida Sanctions List

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

6. Listing

- (a) The Committee shall consider including new names based on submissions received from Member States in line with paragraph 10 of resolution 2083 (2012).
- (b) Member States are encouraged to establish a national mechanism or procedure to identify and assess names for inclusion on the Al-Qaida Sanctions List and to appoint a national contact point concerning entries on that list according to national laws and procedures.
- (c) Before a Member State proposes a name for inclusion on the Al-Qaida Sanctions List, it is strongly encouraged, to the extent possible, to approach the State(s) of residence and/or nationality of the individual or entity concerned to seek additional information.
- (d) States are advised to submit names as soon as they gather the supporting evidence of association with Al-Qaida. A criminal charge or conviction is not a prerequisite for listing as the sanctions are intended to be preventive in nature.
- (e) The Committee will consider proposed listings on the basis of the "associated with" standard described in paragraphs 2 and 3 of resolution 2083 (2012).
- (f) When submitting names of groups, undertakings or entities, States are encouraged, if they deem it appropriate, to propose for listing at the same time the names of the individuals responsible for the decisions of the group, undertaking or entity concerned.
- (g) When proposing names for inclusion on the Al-Qaida Sanctions List, Member States should use the standard forms for listing available on the Committee's website¹ and shall include as much relevant and specific information as possible on a proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of the individual, group, undertaking or entity concerned by competent authorities, and to the extent possible, information required by INTERPOL to issue a Special Notice, including:

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

- For individuals: family name/surname, given names, other relevant names, date of birth, place of birth, nationality/citizenship, gender, aliases, employment/occupation, State(s) of residence, passport or travel document and national identification number, current and previous addresses, current status before law enforcement authorities (e.g. wanted, detained, convicted), location;
- For groups, undertakings or entities: name, registered name, short name(s)/acronyms, and other names by which it is known or was formerly known, address, headquarters, branches/subsidiaries, organizational linkages, parent company, nature of business or activity, State(s) of main activity, leadership/management, registration (incorporation) or other identification number, status (e.g. in liquidation, terminated), website addresses.

The Monitoring Team shall be prepared to assist Member States in this regard.

- (h) Member States shall provide a detailed statement of case in support of the proposed listing that forms the basis or justification for the listing in accordance with the relevant resolutions, including paragraph 11 of resolution 2083 (2012). The statement of case should provide as much detail as possible on the basis(es) for listing, including but not limited to: (1) specific information demonstrating that the individual/entity meets the criteria for listing set out in paragraphs 2 and 3 of resolution 2083 (2012); (2) details of any connection with a currently listed individual or entity; (3) information about any other relevant acts or activities of the individual/entity; (4) the nature of the supporting evidence (e.g. intelligence, law enforcement, judicial, open source information, admissions by subject, etc.); (5) additional information or documents supporting the submission as well as information about relevant court cases and proceedings. The statement of case shall be releasable, upon request, except for the parts the designating State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in section 9 below.
- (i) 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 resolution 2083 (2012), shall specify if the Committee, or the Secretariat on its behalf, or the Ombudsperson may not make known their status as designating State(s).
- (j) Member States that want to be considered co-designating States should inform the Chair in writing when the listing request is submitted and before the listing request is circulated to the members of the Committee for consideration.
- (k) Member States that want to be considered co-sponsors should inform the Committee in writing before the Committee has decided on the listing request.
- (l) Member States who co-sponsored listing requests that were submitted to the Committee before the adoption of resolution 1989 (2011) will continue to be considered designating States, including in the application of paragraphs 26 and 27 of resolution 2083 (2012).
- (m) Co-sponsors of listing requests that were submitted to the Committee after the adoption of resolution 1989 (2011) will not be considered designating states in the application of paragraphs 26 and 27 of resolution 2083 (2012). Co-sponsors will continue to be addressed, as appropriate, in the context of the Committee's reviews of the Al-Qaida Sanctions List, including in the triennial review described in paragraph 42 of resolution 2083 (2012).

- (n) The Committee will consider listing requests within a period of ten full working days, which may be shortened, if requested by a Member State, at the Chair's discretion, for emergency and time-sensitive listings. If a proposal for listing is not approved within the decision-making period, the Committee, or the Secretariat on its behalf, will notify the submitting State on the status of the request. The Secretariat shall inform the Committee Members the same working day of any holds or objections received before 5:30 p.m. Holds or objections received after 5:30 p.m. shall be communicated to the Committee Members the following working day. If no objection is received by the end of the no-objection period, the decision will be deemed adopted. The Secretariat shall take all the necessary steps to update the Al-Qaida Sanctions List the following day, and inform the State(s) concerned about the Committee's decision.
- (o) Committee Members and the Monitoring Team are called upon to share with the Committee any information available regarding a listing request to help inform the Committee's decision and provide additional material for the narrative summary of reasons for listing.
- (p) Upon request of a Committee Member, listing requests may be placed on the Committee's agenda for more detailed consideration. If deemed necessary, the Committee may request additional background information from the Monitoring Team and/or the designating State(s). Following consideration by the Committee, the Chair shall circulate the listing request under the written decision-making procedure as described in Sections 4 paragraph (b) and section 6 paragraph (n) above.
- (q) On the same day that a name is added to the Al-Qaida Sanctions List, the Committee shall, with the assistance of the Monitoring Team and in coordination with the relevant designating State(s), make accessible on the Committee's website a narrative summary of reasons for listing for the corresponding entry or entries. In addition to the narrative summary, the Secretariat shall, promptly after a name is added to the Al-Qaida Sanctions List, publish on the Committee's website all relevant publicly releasable information, where available.
- (r) In its communication informing Member States of new entries to the Al-Qaida Sanctions List, the Secretariat shall include the narrative summary of reasons for listing.
- (s) Unless the Committee decides otherwise, the Secretariat shall request INTERPOL to issue, where feasible, an INTERPOL-United Nations Security Council Special Notice for each name added to the list.
- (t) As soon as a name is added to the Al-Qaida Sanctions List, the Committee shall request the Secretariat to communicate the decision in writing to 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).
- (u) The Secretariat shall include with this communication a copy of the narrative summary of reasons for listing, a description of the effects of designation, as set forth in the relevant resolutions, the Committee's procedures for considering delisting requests, including the possibility of submitting delisting requests to the Office of the Ombudsperson in

accordance with paragraphs 19 and annex II of resolution 2083 (2012), and the provisions for available exemptions.

- (v) The letter shall remind States receiving such notification that they are required to take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the newly listed individuals and entities on the Al-Qaida Sanctions List of the measures imposed on them, any information on reasons for listing available on the Committee's website as well as all the information provided by the Secretariat in the above-mentioned communication.
- (w) In addition, in its communication, the Secretariat shall invite States to provide in accordance with national law details on measures taken to implement the sanctions.
- (x) Where the address is known, and after the Secretariat has officially notified the Permanent Mission of the State(s) concerned, the Ombudsperson shall notify individuals or entities about the status of their listing. The Ombudsperson shall include all additional information as described in paragraph (u) above.

7. Delisting

The Committee shall consider delisting requests submitted by Member States or by petitioners through the Office of the Ombudsperson pursuant to the following procedures:

Delisting Requests by Member States

- (a) Member States may at any time submit to the Committee requests for delisting of individuals, groups, undertakings, and/or entities inscribed on the Al-Qaida Sanctions List.
- (b) Member States considering a delisting request are requested to bilaterally consult with the designating State(s), the State(s) of nationality, residence or incorporation, where applicable, prior to requesting a delisting.
- (c) When submitting a delisting request, the standard form for delisting, available on the Committee's website², should be used.
- (d) The delisting request should explain why the individual or entity concerned no longer meets the criteria described in paragraphs 2 and 3 of resolution 2083 (2012). Any documentation supporting the request can be referred to and/or attached together with the explanation of its relevance, where appropriate.
- (e) The Chair, with the support of the Secretariat, shall facilitate contacts between the State requesting the delisting and the designating State(s), as well as the State(s) of nationality, residence or incorporation, where applicable. The Chair shall circulate the request, including, as appropriate, additional information provided by the Monitoring Team, under a written no-objection procedure.

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

- (f) The Committee will decide on delisting requests within a period of ten full working days, which may be shortened to a minimum of two full working days, if requested by a Member State and in exceptional circumstances, at the Chair's discretion, for emergency and time-sensitive delistings after previously informing the Members of the Committee. The Secretariat shall inform the Committee Members the same working day of any holds or objections received before 5:30 p.m. Holds or objections received after 5:30 p.m. shall be communicated to the Committee Members the following working day. If no objection is received by the end of the no-objection period, the decision will be deemed adopted. The Secretariat shall take all the necessary steps to update the Al-Qaida Sanctions List the following day, and inform the State(s) concerned about the Committee's decision.
- (g) When considering delisting requests, the Committee shall give due consideration to the opinions of designating State(s), State(s) of residence, nationality or incorporation.
- (h) After this period, the Secretariat shall inform the Members of the Committee of any objections received.
- (i) Committee Members shall provide reasons for objecting to delisting requests as stipulated by paragraph 33 of resolution 2083 (2012). The Committee is called upon to share its reasons with relevant Member States and national and regional bodies, where appropriate.
- (j) If no objection to the delisting request has been received, the request is approved and the list will be updated accordingly.
- (k) The Secretariat shall, as soon as possible, but not later than three working days after a name is removed from 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).
- (l) The letter shall remind States receiving such notification that they are required to take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the delisting in a timely manner.
- (m) The Secretariat will also concurrently request that INTERPOL cancel the INTERPOL-UNSC Special Notice for the relevant name and to provide confirmation when the cancellation is in effect.
- (n) If a delisting request submitted by a Member State is rejected, the Secretariat shall, as soon as possible, but not later than three working days after the Committee's decision, notify the Permanent Mission of the State submitting the request, unless the State concerned is a member of the Committee and thus privy to the decision.
- (o) The notification shall include the Committee's decision, an updated narrative summary of reasons for listing and, where available, any other publicly releasable information about the Committee's decision, as well as other relevant information described in section 6 (n) above.
- (p) The letter shall remind States receiving such notification that they are required to take measures, in accordance with their domestic laws and practices, to notify or inform the

concerned individual or entity in a timely manner of the decision and as well as all the information provided by the Secretariat in the above-mentioned notification.

Delisting requests submitted by Designating States

- (q) Designating States submitting a delisting request pursuant to paragraph 26 of resolution 2083 (2012) shall confirm in writing, at the same time the delisting request is submitted to the Committee, that consensus exists between or among all designating States in cases where there are multiple designating States. It is being recalled that co-sponsors of listing requests submitted after the adoption of resolution 1989 (2011) will not be considered designating states in the application of paragraphs 26 and 27 of resolution 2083 (2012).
- (r) The Chair will circulate the delisting request with a 10-working-day no-objection period.
- (s) Immediately following the expiration of the ten day no-objection deadline, the Secretariat shall inform the Committee Members whether any objections have been received. If no objections are received by the end of the no-objection period, the decision will be deemed adopted. The Secretariat shall take all the necessary steps to update the Al-Qaida Sanctions List the following day, and inform the State(s) concerned about the Committee's decision.
- (t) If one or more Members of the Committee register an objection to the delisting request of a designating State by the end of the no-objection period of 10 working days, the delisting will, in accordance with paragraph 26 of resolution 2083 (2012), take effect 60 days after the Chair has circulated the delisting request, unless
 - (i) all Members of the Committee object in writing to the delisting proposal before the end of that 60 day period; or
 - (ii) one or more Members of the Committee request, before the end of the 60 day period, that the Chair submit the delisting request of a designating State to the Security Council for a decision.
- (u) In the event of such a request, the requirement for States to take the measures described in paragraph 1 of resolution 2083 (2012) 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 in accordance with the provisions of paragraph 26 of resolution 2083 (2012).
- (v) Committee Members shall provide reasons for objecting to delisting requests as stipulated by paragraph 33 of resolution 2083 (2012). The Committee is called upon to share its reasons with relevant Member States and national and regional bodies, where appropriate.
- (w) After the Committee has taken a decision, the Secretariat will take the appropriate steps outlined in section 7 (k) – (p).

Delisting Requests through the Office of the Ombudsperson

- (x) A petitioner (an individual, group, undertaking, and/or entity on the Al-Qaida Sanctions List or their legal representative or estate) seeking to submit a request for delisting can do so either directly to the Office of the Ombudsperson as outlined below and in the attached annex, or through his/her State of residence or nationality as outlined in paragraphs (a)-(p).

- (y) In accordance with paragraph 19 and annex II of resolution 2083 (2012) the Office of the Ombudsperson shall receive delisting requests submitted by, or on behalf, of a petitioner following the procedures outlined in annex II of resolution 2083 (2012) (reproduced in the annex to these guidelines).
- (z) Member States are strongly urged to provide all relevant information to the Ombudsperson, including confidential information where appropriate, and are encouraged to do so in a timely manner. Member States may enter into arrangements with the Office of the Ombudsperson to facilitate the sharing of confidential information. The Ombudsperson must comply with any confidentiality restrictions placed upon such information.
- (aa) With paragraph 7 of annex II of resolution 2083 (2012), the Security Council has requested the Ombudsperson to circulate to the Committee a Comprehensive Report on the delisting requests he/she has received upon completion of the period of engagement with the petitioner. The Secretariat will make available the Comprehensive Report to the Members of the Committee promptly after its submission and will arrange for the translation of the Comprehensive Report.
- (bb) After the Comprehensive Report has been translated into all official languages of the United Nations, the Secretariat will make the translation available to all Committee Members and will inform the Ombudsperson accordingly.
- (cc) After the Committee has had 15 days to review the Comprehensive Report of the Ombudsperson 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.
- (dd) When the Committee considers the delisting request, the Chair shall invite the Ombudsperson, aided by the Monitoring Team, as appropriate, to present the Comprehensive Report in person and answer Committee Members' questions regarding the request.
- (ee) The Committee's consideration of the Comprehensive Report shall be completed no later than 30 days from the date the Comprehensive Report is submitted in all official languages of the United Nations to the Committee for its review.
- (ff) In cases where the Ombudsperson recommends in his/her Comprehensive Report retaining the listing, the Committee will complete its consideration of the Comprehensive Report and notify the Ombudsperson that the listing will be retained. The right of each Committee Member to submit a delisting request as outlined in section 7 paragraph (a) remains unaffected.
- (gg) In cases where the Ombudsperson recommends delisting in his/her Comprehensive Report, and after the Committee has completed its consideration of the Comprehensive Report, the Chair will circulate the delisting request with a no-objection period of 10 working days.
- (hh) Immediately following the expiration of the ten day no-objection deadline, the Secretariat shall inform the Committee Members whether any objections have been received. If no objections are received by the end of the no-objection period, the decision will be deemed adopted. The Secretariat shall take all the necessary steps to update the Al-Qaida Sanctions

List the following day, and inform the State(s) concerned about the Committee's decision. The Chair will inform the Ombudsperson accordingly.

- (ii) If one or more Members of the Committee register an objection to the proposed delisting by the end of the no-objection period of 10 working days, the delisting will, in accordance with paragraph 21 of resolution 2083 (2012), take effect 60 days after the Chair has circulated the delisting request, unless:
 - (i) all Members of the Committee object in writing to the delisting proposal before the end of that 60 day period; or
 - (ii) one or more Members of the Committee request, before the end of the 60 day period, that the Chair submit the recommendation to delist to the Security Council for a decision.
- (jj) In the event of such a request, the requirement for States to take the measures described in paragraph 1 of resolution 2083 (2012) 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 in accordance with the provisions of paragraph 21 of resolution 2083 (2012).
- (kk) If the Committee decides to reject a delisting request, the Committee shall convey to the petitioner, through the Ombudsperson or the State(s) concerned, its decision following the respective procedures outlined in annex II of resolution 2083 (2012) or in section 7 paragraph (n) of these Guidelines, as well as a summary of the reasons for its decision.
- (ll) After the Committee has taken a decision, the Secretariat will take the appropriate steps outlined in section 7 (k) – (p).

Deceased Individuals

- (mm) For a deceased individual, the delisting request shall be submitted either directly to the Committee by a State, or to the Office of the Ombudsperson by his/her legal beneficiary, together with official documentation certifying that status.
- (nn) The delisting request shall include an official documentation confirming the death. The Committee considers any official communication from a State declaring a listed person to be dead as fulfilling the requirement for “credible information regarding death” as described in paragraph 40 of resolution 2083 (2012) without prejudice to the final decision of the Committee as to the removal of the name from the List.
- (oo) The official communication, such as documentation certifying death, should include, to the extent possible, the full name, permanent reference number, date of birth, and the date and place of death of the individual, as well as any further information about the circumstances of the death. The submitting State or the petitioner should also ascertain and inform the Committee whether or not any legal beneficiary of the deceased's estate or any joint owner of his/her assets is on the Al-Qaida Sanctions List, and to the extent possible, inform the Committee about the names of any individuals or entities who would be in a position to receive any unfrozen assets of a deceased individual or defunct entity, in order to prevent unfrozen assets from being used for terrorist purposes.

- (pp) In cases where individuals have no frozen assets, the Committee will accept as sufficient for delisting an official communication from the State(s) of nationality and residence declaring the financial status of the individuals in question, without prejudice to the final decision of the Committee.
- (qq) After the Committee has taken a decision, the Secretariat will take the appropriate steps outlined in section 7 (k) – (p).

8. Updating the Existing Information on the Al-Qaida Sanctions List

- (a) The Committee shall consider expeditiously, in accordance with the following procedures, any information supplied by Member States, regional or international organizations, or the Monitoring Team, in particular additional identifying information and other information, along with supporting documentation, including updates on the operating status of listed individuals, groups, entities and undertakings, the movement, incarceration or death of listed individuals and other significant events as well as any relevant court decisions and proceedings, as such information becomes available, and shall decide which information would improve the existing information on the Al-Qaida Sanctions List.
- (b) The Committee will consider any additional information on listed individuals or entities submitted to it by Member States, regional or international organizations or the Monitoring Team. The Committee or the Monitoring Team, at the Committee's request, may approach the original designating State(s) and consult with it on the relevance of the submitted additional information. The Committee may also encourage Member States or regional or international organizations providing such additional information to consult with the original designating State(s). The Secretariat will, subject to the designating State's consent, assist in establishing the appropriate contacts.
- (c) The Monitoring Team will, as appropriate, review any and all information received by the Committee in order to clarify or confirm such information. In this connection, the Monitoring Team will use all sources available to it, including other sources than those provided by the original designating State(s).
- (d) The Monitoring Team will subsequently advise the Committee, within four weeks, if such information could be included in the Al-Qaida Sanctions List, or if further clarification is recommended in order to ascertain that the information received can be incorporated in the Al-Qaida Sanctions List. The Committee shall decide whether and how such clarification should be obtained and may again call upon the expertise of the Monitoring Team.
- (e) The Monitoring Team may also submit to the Committee any information on listed individuals and entities it has obtained from publicly available official sources, or with the help of United Nations agencies with their agreement. In such cases, the Monitoring Team shall identify the source of each piece of new information when presenting it for the Committee's consideration.
- (f) Upon the decision of the Committee to incorporate additional information into the Al-Qaida Sanctions List the Committee will inform the Member State or regional or international organization that submitted the additional information accordingly.
- (g) Any additional relevant information submitted to the Committee that is not incorporated into the Al-Qaida Sanctions List or the narrative summary of reasons for listing will be

stored by the Monitoring Team in a database for the use of the Committee and the Monitoring Team in carrying out their respective mandates. Upon request, the Committee shall share any such additional information with Member States whose nationals, residents or entities have been included on the Al-Qaida Sanctions List provided that the information is publicly releasable or the provider of the information has agreed to its release. The Committee may also call on the Monitoring Team to assist in conveying such additional relevant information to the requesting State(s). On a case-by-case basis the Committee may decide to release the information to other parties, with the prior consent of the provider of the information.

9. Narrative Summaries of Reasons for Listing

- (a) For all entries on the Al-Qaida Sanctions List, the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating State(s), shall continue to make accessible on its website narrative summaries of reasons for listing.
- (b) When a new name is proposed for listing, the Monitoring Team shall immediately prepare, in coordination with the relevant designating State(s), a draft narrative summary for the Committee's consideration which shall be circulated together with the corresponding listing request. The narrative summary shall be made accessible on the Committee's website on the same day a name is added to the Al-Qaida Sanctions List.
- (c) Draft narrative summaries should be based on information provided by the designating State(s), Committee members or the Monitoring Team, including the statement of case, the standard form for listing, any other official information provided to the Committee or any other relevant information publicly available from official sources.
- (d) The narrative summary should include: the date of listing; the basis(es) for listing according to the relevant resolutions adopted by the Security Council, i.e. specific information demonstrating that the individual or entity meets the criteria for listing set out in the relevant resolutions; information about any acts or activities of the individual/entity indicating an association with Al-Qaida, pursuant to paragraphs 2 and 3 of resolution 2083 (2012); the names and permanent reference numbers of other entries on the List associated with the listed party; any other relevant information available at the date or after the date of listing such as relevant court decisions and proceedings as provided by the designating State(s) or other Member States concerned; the date(s) when the narrative summary was first made accessible on the Committee's website and when it was reviewed or updated.
- (e) If the Committee decides to grant a delisting request, the Secretariat shall immediately remove the corresponding narrative summary from the Committee's website. If the Committee decides to reject a delisting request, the Monitoring Team shall prepare an updated draft narrative summary for the Committee's consideration reflecting the date of the Committee's decision to reject a delisting request as well as any relevant new publicly releasable information provided during the Committee's consideration.
- (f) When reviewing a list entry in accordance with paragraphs 39, 40, 41 and 42 of resolution 2083 (2012) the Committee shall also review the corresponding narrative summary. Upon completion of the review, the Monitoring Team shall prepare an updated draft narrative summary for the Committee's consideration reflecting the date of the Committee's review as well as any relevant new publicly releasable information provided during the Committee's consideration.

- (g) At any time the Committee may consider updating narrative summaries based on new information, proposed changes or additions as well as information about any relevant court decisions and proceedings submitted by Committee Members, the Monitoring Team, Member States or relevant international organizations.

10. Review of the Al-Qaida Sanctions List

- (a) The Committee with the support of the Monitoring Team and the Secretariat will, as stipulated by paragraphs 39, 40, 41 and 42 of resolution 2083 (2012), conduct the following reviews outlined in this section.
- (b) The procedures for these reviews shall be based on the procedures described in paragraph (f) below, but may be adapted by the Committee as appropriate in a modalities paper.
- (c) The reviews described in this section shall not preclude the submission of delisting requests at any time, in accordance with the relevant procedures set out in section 7 of these guidelines.

Triennial Review

- (d) The Committee shall 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 and/or nationality, location or incorporation, where known, in order to continue to ensure the Al-Qaida Sanctions List is as updated and as accurate as possible and to confirm that the listing remains appropriate.
- (e) The Committee’s consideration of a delisting request after the date of adoption of resolution 1989 (2011), pursuant to the procedures set out in annex II to resolution 1989 (2011) or annex II to resolution 2083 (2012) (reproduced in the annex to these guidelines), should be considered equivalent to a review of that listing pursuant to paragraph 26 of resolution 1822 (2008).
- (f) The Committee will implement the triennial review based on the following procedure:
 - (i) Every 12 months, the Monitoring Team shall identify those entries on the Al-Qaida Sanctions List that have not been reviewed in three or more years. The Committee shall circulate these names to the designating State(s), together with the original statement of case and cover sheet, as applicable, and the corresponding draft narrative summary of reasons for listing. The Committee shall also circulate those names to the State(s) of residence and/or nationality, location or incorporation, where known, together with the publicly releasable portion(s) of the statement of case. At the same time, the Chair will invite the members of the Committee to provide any additional information on these listed individuals and entities.
 - (ii) The Committee shall ask the designating State(s) and the State(s) of residence and/or nationality to submit to the Committee within 3 months any updated information on the reasons for listing, as well as any additional identifying and other information, along with supporting documentation, on these listed individuals and entities, including

updates on the operating status of the listed entities, the movement, incarceration or death of the listed individuals and other significant events. The Committee shall also urge these States to indicate whether they deem the listing to remain appropriate.

- (iii) The review replies received will be uploaded to the Committee's eRoom as they are received. At the end of the 3-month information-gathering period, the Monitoring Team will compile all information received from reviewing States, together with any additional information and the Monitoring Team's own assessment, and make it available to the Committee members in the form of dossiers on each entry under review.
- (iv) Once the Monitoring Team has provided the complete dossiers, the Chair will advise the members of the Committee as to when the names will be placed on the Committee's agenda for consideration, so as to allow for sufficient time for the review of all available information and for the members to reach their position on each case.
- (v) In cases where any of the States reviewing the names in accordance with subparagraph (ii) above determines that a listing is no longer appropriate, that State may submit a delisting request following the same relevant procedures set out in section 7 of these guidelines.
- (vi) On the basis of all available information, the Committee shall consider updating the Al-Qaida Sanctions List and shall make accessible on its website the narrative summary of reasons for listing, as appropriate.
- (vii) In cases where a member of the Committee in the course of the review determines that a listing is no longer appropriate, it may, in close consultations with the designating State(s), State(s) of residence and/or nationality and taking into account their views on the matter as referred to in subparagraph (ii) above, submit a delisting request following the same relevant procedures set out in section 7 of these guidelines.
- (viii) When the designating State(s) submits a delisting request, paragraphs 26 and 27 of resolution 2083 (2012) shall apply.
- (ix) If no decision has been taken by the Committee to remove a name under review from the Al-Qaida Sanctions List, the listing of that name shall be confirmed to remain appropriate and those names shall remain on the Al-Qaida Sanctions List.
- (x) Upon completion of the review of a name, the Secretariat shall notify the designating State(s) and the State(s) of residence and nationality thereof. The State(s) of residence and/or nationality, location or incorporation shall be encouraged to take, in accordance with their domestic laws and practices, all possible measures to notify or inform the individual or entity accordingly and in cases where listing is confirmed to remain appropriate, provide any information on reasons for listing available on the Committee's website as well as the procedures for considering delisting requests and the provisions for available exemptions.

Review of reportedly deceased individuals

- (g) The Monitoring Team will provide 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. The Committee shall review these listings along with the original listing request, as well as all relevant information pertaining to those entries to decide whether they remain appropriate, and to remove listings of deceased individuals where appropriate and where there is credible information regarding death as described in section 7 (nn) and (oo) above.
- (h) If after the review of a deceased person as described in paragraph (g) above all members of the Committee are of the view that the name should be removed from the list but no Member State proposes delisting, the delegation of the Chair shall submit a request for delisting to be circulated under the written procedure as described in section 4 (b) above.

Review of entities reported or confirmed to have ceased to exist

- (i) The Monitoring Team shall provide 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.
- (j) The Committee shall review these listings along with all relevant information pertaining to those entries to decide whether they remain appropriate, and shall remove such listings where credible information is available.

Review of entries lacking identifiers

- (k) The Committee will request 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. The Committee shall review these listings to decide whether they remain appropriate.

11. Exemptions to the Assets Freeze

- (a) Pursuant to resolution 1452 (2002), as amended by paragraph 15 of resolution 1735 (2006), the Committee shall receive notifications from Member States of their intention to authorize, where appropriate, access to frozen funds or other financial assets or economic resources to cover basic expenses, as provided for in paragraph 1(a) of resolution 1452 (2002). The Committee, through the Secretariat, will immediately acknowledge receipt of the notification. Should no negative decision be taken by the Committee within the requisite three working day period, the Committee, through its Chair, will inform the notifying Member State thereof. The Committee will also inform the notifying Member State if a negative decision has been taken regarding the notification.
- (b) The Committee shall consider and approve within the requisite five working days, if appropriate, requests by Member States for extraordinary expenses, as provided for in paragraph 1(b) of resolution 1452 (2002). Member States are encouraged, when submitting requests to the Committee pursuant to paragraph 1(b) of resolution 1452 (2002), to report in a timely way on the use of such funds, with a view to preventing such funds from being used to finance terrorism.

- (c) A listed individual, group, undertaking or entity may apply to the Focal Point mechanism established by resolution 1730 (2006) for an exemption from the measures outlined in paragraph 1(a) of resolution 2083 (2012). Before the Committee will consider a request submitted through the Focal Point, the request must be submitted to the State of residence. The Focal Point may, if necessary, forward requests to States of residence in this context. Once the Focal Point has confirmed that the request has been submitted to the State of residence, the Focal Point will transmit the request to the Committee for a decision. The Committee shall consider such requests in consultation with States of residence and any other relevant States. The Committee, through the Focal Point, shall notify such individuals, groups, undertaking or entities of the Committee's decision.
- (d) Notifications under paragraph 1(a) of resolution 1452 (2002) and requests under paragraph 1(b) of resolution 1452 (2002) and paragraph 37(a) of resolution 2083 (2012) should, as appropriate, include the following information:
- i. recipient (name and address)
 - ii. recipient's permanent reference number on the Al-Qaida Sanctions List
 - iii. recipient's bank information (name and address of bank, account number)
 - iv. purpose of payment and justification of the determination of the expenses falling under paragraph 1(a) or under paragraph 1(b) of resolution 1452 (2002):
 - under paragraph 1(a):
 - basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - payment of reasonable professional fees and reimbursement of incurred expenses associated with the provisions of legal services;
 - fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources.
 - under paragraph 1(b):
 - extraordinary expenses (other categories than the ones mentioned under paragraph 1 (a)).
 - v. amount of installment
 - vi. number of installments
 - vii. payment starting date
 - viii. bank transfer or direct debit
 - ix. interests
 - x. specific funds being unfrozen
 - xi. other information.
- (e) Pursuant to paragraph 2 of resolution 1452 (2002), paragraph 6 of resolution 1904 (2009) and paragraph 7 of resolution 2083 (2012), States may allow for the addition to accounts subject to the assets freeze of:
- i. interest or other earnings due on those accounts, or

- ii. payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the assets freeze, or
 - iii. any payment in favour of listed individuals, groups, undertakings or entities, provided that any such interest, other earnings and payments continue to be subject to the assets freeze.
- (f) Pursuant to paragraph 32 of resolution 2083 (2012), before unfreezing any assets frozen as a result of the listing of Usama Bin Laden, Member States must submit a request to the Committee and 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 resolution 1373 (2001). Such assets may only be unfrozen in the absence of an objection by a Committee member within 30 days of receiving the request.

12. Exemptions from the Travel Ban

- (a) Pursuant to paragraph 2 (b) of resolution 1390 (2002), as reaffirmed by subsequent relevant resolutions, including paragraph 1 (b) of resolution 2083 (2012), the Security Council decided that the travel ban imposed under the Al-Qaida/Taliban sanctions regime shall not apply where the Committee determines, on a case by case basis only, that entry or transit is justified.³
- (b) If the Ombudsperson is unable to interview a petitioner in his or her state of residence, the Ombudsperson may request an exemption for the sole purpose of allowing the petitioner to travel to another State to be interviewed by the Ombudsperson. The Ombudsperson may submit such a request provided that the petitioner is in agreement with the proposal, the application is for a period no longer than necessary to participate in the interview and all States of transit and destination do not object to the travel.
- (c) Each request for exemption must be submitted in writing, on behalf of the listed individual, to the Chair or to the Focal Point mechanism established in resolution 1730 (2006).
- (d) The States that may submit a request are the State(s) of destination, the State(s) of transit, the State of nationality, and the State of residence. Member States are encouraged to consult with other relevant States where appropriate prior to submitting a request for exemption. If no effective central government exists in the country in which the listed individual is located, a United Nations office or agency in that country may submit the request for exemption on the listed individual's behalf.
- (e) Listed individuals, groups, undertakings and entities may submit exemption requests pursuant to the Focal Point mechanism established by resolution 1730 (2006), pursuant to paragraph 37(b) of resolution 2083 (2012). The Focal Point will transmit the request to the Committee to determine, on a case-by-case basis whether the travel is justified.
- (f) Each request for exemption shall be received by the Chair or the Focal Point as early as possible but not less than fifteen working days before the date of the proposed travel, except

³ The Security Council also decided that the travel ban shall not oblige any State to deny entry into or require the departure from its territories of its own nationals and shall not apply where entry or transit is necessary for the fulfillment of a judicial process.

where humanitarian considerations require a shorter period. Petitioners are encouraged to submit exemption requests well in advance of the proposed travel to ensure ample time for the Committee to consult with relevant States. The Committee shall consider such requests in consultation with States of transit and destination and any other relevant States, and will only agree to exemptions to the travel ban with the agreement of the States of transit and destination.

- (g) The Chair shall circulate the exemption request under the written decision-making procedure for a period of ten days following the procedures described in section 4 (b). In urgent situations on humanitarian grounds, the Chair shall determine whether to shorten the consideration period. Any requests received after 12:00 (noon EST) will be circulated the following working day.
- (h) Each request for exemption should include the following information:
 - i. the permanent reference number on the Al-Qaida Sanctions List, full name, nationality, passport number or travel document number of the listed individual;
 - ii. the purpose of and justification for the proposed travel, with copies of supporting documents, including specific details of meetings or appointments;
 - iii. the proposed dates and times of departure and return;
 - iv. the complete itinerary and timetable, including for all transit stops;
 - v. details of the mode of transport to be used, including where applicable, record locator, flight numbers and names of vessels;
 - vi. all proposed uses of funds or other financial assets or economic resources in connection with the travel. Such funds may only be provided in accordance with paragraph 1 of resolution 1452 (2002), as modified by paragraph 15 of resolution 1735 (2006). The procedures for making a request under resolution 1452 (2002) can be found in section 11 of these guidelines.
- (i) Once the Committee has approved a request for exemption from the travel ban, the Chair shall communicate in writing the decision, approved itinerary and timetable to the Permanent Missions to the United Nations of: the State in which the listed individual is resident or believed to be located, the State(s) of which the person is believed to be a national, the State(s) to which the listed individual will be traveling, any transit State, as well as to any UN office/agency involved as provided for in paragraph (b) above.
- (j) Written confirmation of the completion of the travel by the listed individual shall be provided to the Chair within five working days following the expiry of the exemption by the State (or United Nations office/agency as in paragraph (b) above) in which the listed individual has stated he will be resident after completion of the exempted travel.
- (k) Notwithstanding any exemption from the travel ban, listed individuals remain subject to the other measures outlined in paragraph 1 of resolution 2083 (2012).

- (l) Any changes to the information provided under paragraph (d) above, including with regard to points of transit, shall require further consideration by the Committee and shall be received by the Chair no less than three working days prior to the commencement of the travel.
- (m) Any request for an extension of the exemption shall be subject to the procedures set out above and shall be received by the Chair in writing, with a revised itinerary, no less than five working days before the expiry of the approved exemption.
- (n) The submitting State, or the applicant through the Focal Point (or United Nations office/agency as in paragraph (b) above) shall inform the Chair immediately and in writing of any change to the departure date for any travel for which the Committee has already issued an exemption. Written notification will be sufficient in cases where the time of departure is advanced or postponed no more than 48 hours and the itinerary remains otherwise unchanged. If travel is to be advanced or postponed by more than 48 hours, or the itinerary is changed, then a new exemption request shall be submitted in conformity with paragraphs (b), (c) and (d) above.
- (o) In cases of emergency evacuation to the nearest appropriate State, including for medical or humanitarian needs or through force majeure, the Committee will determine whether the travel is justified within the provisions of paragraph 1 (b) of resolution 2083 (2012), within 24 hours once notified of the name of the listed individual traveler, the reason for travel, the date and time of evacuation, along with transportation details, including transit points and destination. The notifying authority shall also provide, as soon as possible, a doctor's or other relevant national official's note containing as many details as possible of the nature of the emergency and the facility where treatment or other necessary assistance was received by the listed individual without prejudice to respect of medical confidentiality, as well as information regarding the date, time, and mode of travel by which the listed individual returned to his/her country of residence or nationality, and complete details on all expenses in connection with the emergency evacuation.
- (p) Unless the Committee otherwise decides, all requests for exemptions and extensions thereto which have been approved by the Committee in accordance with the above procedures shall be posted in the "Exemptions" section of the Committee's website until expiry of the exemption.

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

- (a) The Committee will examine reports and checklists submitted by Member States pursuant to relevant resolutions and other relevant information, including through the use of the tools provided on the Committee's website. The Committee may request further information that it considers necessary.
- (b) The Committee will consider other information relevant to its work, including possible non-compliance with the measures imposed by the relevant resolutions, received from different sources through Member States, international or regional organizations or the Monitoring Team.

- (c) The information received by the Committee will be kept confidential if the provider so requests or if the Committee so decides.
- (d) With a view to assisting States in their endeavour to implement the measures set out in paragraph 1 of resolution 2083 (2012), the Committee may decide to supply information forwarded to it relating to possible non-compliance to the States concerned, and ask any such State to report to the Committee subsequently on any follow-up action undertaken.
- (e) The Committee will provide Member States and relevant international organizations with an opportunity to send representatives to meet the Committee for more in-depth discussion of relevant issues or to give voluntary briefings on their efforts to implement the measures, including particular challenges that hinder full implementation of the measures.

14. Reports to the Security Council

- (a) The Committee, through its Chair, may report to the Council when it deems appropriate.
- (b) The Committee, through its Chair, will report orally to the Security Council at least once per year pursuant to paragraph 59 of resolution 2083 (2012) on the state of the overall work of the Committee and the Monitoring Team, and, as appropriate, in conjunction with the reports by the Chairmen of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States.
- (c) In its periodic reports to the Council, the Chair will also provide progress reports on the Committee's work on the identification of possible cases of non-compliance with the measures pursuant to paragraph 1 of resolution 2083 (2012). The Committee will also submit written reports to the Council in accordance with relevant resolutions.

15. Outreach

- (a) In order to enhance the dialogue with Member States and to publicize the work of the Committee, the Chair will hold briefings on a regular basis for all interested Member States, as well as brief interested Member States and the press following formal meetings of the Committee, unless the Committee decides otherwise. In addition, the Chair may, after prior consultations and with the approval of the Committee, hold press conferences and/or issue press releases on any aspect of the Committee's work.
- (b) The Secretariat shall maintain a website for the Committee which should include all public documents relevant to the Committee's work, including the Al-Qaida Sanctions List, relevant resolutions, public reports of the Committee, relevant press releases, reports submitted by Member States pursuant to resolution 1455 (2003), and reports of the Monitoring Group and the Monitoring Team. Information on the website should be updated in an expeditious manner.
- (c) The Committee may consider, as appropriate, visits by the Chair and/or Committee Members to selected countries to enhance the full and effective implementation of the measures referred to above, with a view to encouraging States to comply fully with the relevant resolutions:

- (i) The Committee shall consider and approve the proposal to visit selected countries, and coordinate such visits with the 1988 Committee pursuant to resolution 1988 (2011) and other subsidiary organs of the Security Council as appropriate.
 - (ii) The Chair will contact the selected countries through their Permanent Missions in New York, and will also send letters seeking their prior consent and explaining the objectives of the trip.
 - (iii) The Secretariat and the Monitoring Team will provide the Chair and the Committee with the necessary assistance in this regard.
 - (iv) Upon his return the Chair will prepare a comprehensive report on the findings of the trip and will brief the Committee orally and in writing.
- (d) The Committee shall consider and approve the six monthly travel plan of the Monitoring Team. Any new travel plans in addition to already approved travel of the Monitoring Team shall be sent to the Committee Members for information on a regular basis as necessary. Unless a Committee Member expressly objects to any proposed travel, the Chair will take it that the Members of the Committee have no objection to the proposed travel and will advise the Monitoring Team to proceed accordingly.

* * * * *

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.