United Nations Security Council

Travel Ban on Al-Qaida and associates:
Implementation Opportunities and Challenges
UN Counter-Terrorism Committee

- Security Council
- Counter-Terrorism Committee
- Other Sanctions Committees
- Al-Qaida Sanctions Committee
- 1988 Sanctions Committee
- Monitoring Team
- Panels of Experts
- Lists
- CTITF (UNCCT)
- CTED

General Assembly
Structure of this Presentation

- Security Council resolutions, ISIL/Al-Qaida Sanctions Committee, the Monitoring Team

- Legal basis: Travel Ban, Assets Freeze, implementation stages

- Implementation instruments: ISIL/Al-Qaida Sanctions List (and consolidated list), narrative summaries, INTERPOL-UNSC Special Notices
ICAO and Security Council cooperation

Security Council resolution 1617 (2005)
Welcome the efforts of the International Civil Aviation Organization to prevent travel documents from being made available to Al-Qaida terrorists and their associates.

Requested the Secretary General to take the necessary steps to increase cooperation between the United Nations and relevant international and regional organisations, 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.
Sanctions Measures: Travel Ban

• Travel Ban
• Assets Freeze
• Arms Embargo

**Travel Ban**: Resolution 2253 (2015), para 2 (b):

“Prevent the entry into or transit through their territories of these [the listed] 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 [Al-Qaida] Committee determines on a case-by-case basis only that entry or transit is justified”.
Sanctions Measures: Assets Freeze

Assets Freeze: Resolution 2253 (2015), para 2 (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“.

Para 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”.
Resolution 2253 (2015), para 17:

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;
Focus on International Air Travel: Paragraph 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 [Al-Qaida] Committee […]
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;
Multilayered Implementation

Pre-Departure
- Travel document issue
- Ticket purchase, issue

**Addressee:** Passport/Visa issuing authority

**Potentially useful data:**
- Passenger Name Record (PNR)

Departure

**Addressee:**
- Border control authority: DEPARTURE

**Potentially useful data:**
- Check against IATA TIMATIC
- Interactive Advanced Passenger Information (iAPI)
- National exit control lists

In-Flight / Pre-Arrival

**Addressee:**
- Border control authority: ARRIVAL

**Potentially useful data:**
- Advanced Passenger Information (API)

Arrival

**Addressee:**
- Border control authority: ARRIVAL

**Potentially useful data:**
- Document verification and checks against national watch lists
Implementation Instruments 1: Sanctions List

Implementation Instruments 1: Sanctions List

QDi.006 Name: 1: AIMAN 2: MUHAMMED 3: RABI 4: AL-ZAWAHIRI
Name (original script): أيمن محمد ربيع الظهاري

Implementation Instruments 3:
Narrative summaries of reasons for listing (HTML)


The ISIL/Al-Qaida Sanctions Committee makes accessible a narrative summary of reasons for the listing for individuals, groups, undertakings and entities included in the Al-Qaida Sanctions List.

QDi.006  AIMAN MUHAMMED RABI AL-ZAWAHIRI
Date on which the narrative summary became available on the Committee's website: 10 January 2011
Date(s) on which the narrative summary was updated: 07 November 2013, 22 May 2015
Reason for listing:
Aiman Muhammed Rabi al-Zawahiri was listed on 25 January 2001 pursuant to paragraph 8(c) of resolution 1333 (2000) as being associated with Al-Qaida, Usama bin Laden or the Taliban for “participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf or in support of”, “supplying, selling or transferring arms and related materiel to” or “otherwise supporting acts or activities of” Al-Qaida (QDe.004), Usama bin Laden and the Taliban.

Additional information:
Aiman Muhammed Rabi al-Zawahiri was a co-founder and military leader of the Egyptian Islamic Jihad (QDe.003), which opposes the Egyptian Government and seeks its overthrow through violent means. Al-Zawahiri assisted in the formation of Al-Qaida (QDe.004) between 1988 and 1989. He served as an advisor to Usama bin Laden (deceased) and was described as the second in command of the organization. Al-Zawahiri frequently issues statements and tapes in support of Al-Qaida and its activities. Al-Zawahiri led some members of the Egyptian Islamic Jihad to join Al-Qaida in June 2001 and encouraged others to do so, including Nasr Fahmi Nasr Hassannein (deceased), Tariq Anwar el Sayed Ahmed (QDi.014) and Sobhi Abdel Aziz Moahmed el Gohary Abu Sinna (deceased), also known as Abu Hafs al Masri. Al-Zawahiri has been indicted in the United States for his alleged role in the 7 August 1998 bombings of the US Embassies in Dar es Salam, Tanzania, and Nairobi, Kenya. These embassy bombings killed 224 civilians and wounded about 5,000 others. He is accused of the murder of US nationals outside the United States; conspiracy to murder US nationals outside the United States; and attacking a federal facility resulting in death.
Implementation Instruments 4: INTERPOL-UNSC Special Notices

http://www.interpol.int/INTERPOL-expertise/Notices/Special-Notices

• provides photographs (public website & i24/7) and other biometrics (i24/7)
• incorporates both list info and narrative summary biographical data
• for those individuals whose passport data is known, it is included on INTERPOL stolen and lost travel document (SLTD) database
• Not all aviation/border security officials have access to SLTD or i24/7, very few use biometrics, even less check against databases
Possible further steps for UN

1. Adding photos to the sanctions list
2. Offering additional format of the sanctions list that is easier to compare with API and PNR data
3. Consider offering list data and narrative summaries (biographical data) in XML, PDF and HTML formats in a single file
4. Improving identifiers for entries that cause large number of false positives in checking

Feedback from aviation sector crucial
Outlook: Compatibility with API and PNR?

Current XML File

API Format

```
<INDIVIDUAL>
  <DATOLID:1119004/DATOLID>
  <VERSIONNO:10/VERSIONNOMB>
  <FIRST_NAME:HAMID AL-RAZAQI/FIRST_NAME>
  <SECOND_NAME:HAMID AL-RAZAQI/SECOND_NAME>
  <THIRD_NAME:HAMID AL-RAZAQI/THIRD_NAME>
  <UNLISTED/UNLISTED_TYPE>
  <REFERENCE_NUMBER:1.12.01/REFERENCE_NUMBER>
  <LISTED_ON:2001-06-07/00:00:00/LISTED_ON>
  <NAME_ORIGINAL/NAME_ORIGINAL_FORMAT>
  <COMMENT/>
</INDIVIDUAL>
```

```
UNB+UNOA:4+API123+NZCS+080708:0545+000000011'
UNG+PAXLST+123 AIRLINES+ NZCS+080708:0545+11+UN+D:05B'
UNH+PAX11+PAXLST:D:05B:UN:IATA'
BGM+745'
RFF+TN:BART34567890:::1'
NAD+MS+++A123 CUSTOMER SVC'
COM+043 555 1212:TE+043 555 4545:FX'
TDT+20+QQ827+++QQ'
LOC+125+CDG'
DTM+189:0808080900:201'
LOC+87+AKL
DTM+232:0808081445:201'
NAD+FL+++BARRET:TOO:CHARLES' (Reflects PNR name – may include middle name)
ATT+2++M' (if known from name) ATT+2+ if gender not known
DTM+329' (if date of birth not known)
MEA+CR++:2' (number checked bags – not a RU requirement so not included)
GEI+4+173' (information verified is not required in RU program)
FTX+BAG+++BA987654' (Tag Number – not required at -24)
LOC+22+AKL'LOC+178+CDG' (itinerary detail at passenger level)
LOC+179+AKL'LOC+174+FRA (itinerary detail at passenger level)
COM+514 874 0202:TE+514 874 1779:FX' (not required in RU program)
NAT+2' (Nationality unknown)
RFF+AVF-GHI+HOR' (PNR Record Locator – not required at -24 but available)
RFF+ABO:UUi34T543' (Unique Passenger Ref – not required at -24 but system could generate)
DOC' (passport number unknown)
DTM+366 (Date of Travel Document Expiration – where not known)
LOC+91' (state issuing passport – if unknown)
CNT+42:1 (Trailer segment Passengers included in the API manifest (42)
UNT+29+PAX11' (trailer segment)
UNE=i+11' (trailer segment )
UNZ+i+000000011' (trailer segment)
```
3.8 Advance Passenger Information (API) involves the capture of a passenger's biographic data and other flight details by the carrier prior to departure and the transmission of the details by electronic means to the Border Control Agencies in the destination country. API can also act as a decision making tool that Border Control Agencies can employ before a passenger is permitted to board an aircraft. Once passengers are cleared for boarding, details are then sent to the Border Control Agencies for screening against additional databases and can identify passengers and crew of interest including those subject to United Nations Security Council sanctions lists and travel bans. While this technique is beginning to be used by more and more Border Control Agencies it has been used by a number of countries for some time. API has the potential to considerably reduce inconvenience and delays experienced by passengers as a result of necessary border processing. It also provides a system which carriers can use to comply with relevant legislation of the countries they fly to including legislation implementing travel bans against those on United Nations Security Council sanctions lists.

6.9.2 The use of automated alert lists is particularly effective in taking preventive measures in case of travel by individuals against whom there are legally sanctioned UN travel restrictions or prohibitions. Border Control Authorities and Carriers may use publicly available lists of individuals who are subject to travel bans.
Possible further steps for ICAO

1. Amend Annex 9 to include Security Council decisions and recommendations international standards or recommend practices according to resolution 2178, paragraph 9, and resolution 2253, paragraph 2

2. Include Security Council requirements and recommendations in ICAO airport audits

Note: UN Charter Article 48
3. **Possible recommended practice #1**
   Source: Security Council resolution 2253, paragraph 7
   Member States are required to freeze without delay and to prevent provision of “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”

4. **Possible recommended practice #2**
   Source: Security Council resolution 2253, paragraph 30
   Security Council 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;
Possible further steps for ICAO

5. **Possible recommended practice #3**
   Source: Security Council 1267 Committee Note Verbale SCA/2/13 (36), 22 November 2013
   
   *Member States are requested to include the ISIL and Al-Qaida Sanctions List and the related travel ban sanctions measures in their national guidelines for inadmissible passengers, in accordance with their national legislations.*

6. **Possible recommended practice #4**
   Source: Security Council 1267 Committee Note Verbale SCA/2/13 (36), 22 November 2013
   
   *Member States would contribute to an effective implementation of the travel ban by requesting their aviation authorities to inform the relevant institutions (such as ICAO and IATA, including TIMATIC) that not being subject to the travel ban, by virtue of not being listed or being subject to an exemption or an exception, is a necessary entry requirement for an individual.*
Thank You

Monitoring Team of
the United Nations Security Council
ISIL/Al-Qaida Sanctions Committee

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