

**OPEN DEBATE OF THE
SECURITY COUNCIL:
BRIEFINGS BY THE CHAIRPERSONS OF THE
COUNTER-TERRORISM COMMITTEE
1267 COMMITTEE
1540 COMMITTEE**

STATEMENT

BY

**MR. STEFAN BARRIGA
COUNSELLOR (LEGAL AFFAIRS)**

**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS**

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CHECK AGAINST DELIVERY

Mr. President

I would like to thank the Chairpersons of the Counter-Terrorism Committee, the Taliban and Al Qaida Sanctions Committee and the Committee established pursuant to resolution 1540 for their briefings. I would also like to take this opportunity to reiterate our commitment to international cooperation in the fight against terrorism. We join all States in the unequivocal condemnation of all terrorist acts, irrespective of their motivation, wherever and by whomever committed.

Mr. President

Liechtenstein fully supports the work of the CTC, the 1267 and the 1540 Committees. They play a crucial role in the multilateral response to terrorist activities, and their effectiveness and efficiency is in the interest of all Member States. We appreciate the efforts aimed at increasing coordination between the three Committees, as well as the considerable efforts made in the last months to improve their respective performance. This holds particularly true for the Taliban and Al-Qaida Sanctions Committee, which initiated a number of improvements in its listing and delisting procedure. The work programme of the CTC, although submitted rather late, equally contains elements which reflect certain progress, such as the expected completion of preliminary implementation assessments by the end of May 2007. Such assessments, including relevant recommendations for all Member States, could go a long way in enhancing the implementation of resolution 1373. We also note the CTC's intention to hold periodic informal briefings by the Chairman, and we would like to encourage such briefings for all Member States to take place more frequently.

We believe that the United Nations response to terrorism can be more effective, if rendered less fragmented. An integrated approach to the implementation of the Counter-terrorism Strategy offers the ideal opportunity for doing so. This was one important conclusion of the discussions on the implementation of the strategy held last week in Vienna at a symposium jointly organized by the Government of Austria and UNODC. We hope that there will be a robust follow-up to this meeting, so we can design such an integrated approach and encourage the Council to take the strategy fully into account when conducting its work on counter-terrorism.

Mr. President

Since this is the first open debate in the Council after the adoption of resolutions 1730 and 1735 (2006), we would like to commend the members of the Council for their hard work on the improvement of listing and delisting procedures. The establishment of a focal point for delisting in the Secretariat is an important step to improve access by listed individuals and entities to the delisting procedure. While we look forward to the evaluation of the implementation of these resolutions that

the 1267 Committee will carry out in July 2007, and while we are aware that the focal point process is only in its first phase, we have nevertheless continued concerns regarding the requirement of “fair and clear procedures” in the Council’s use of targeted sanctions. The mandate of the focal point mainly improves access of listed individuals and entities to the delisting procedures of the Sanctions Committees and thus addresses one aspect of due process. At the same time, the delisting procedure itself, the decision-making process, and the role of the affected individual in that process remain in essence unchanged.

We concur with the assessment given by the High Commissioner for Human Rights in a recent report to the Human Rights Council¹: Resolution 1730 is a welcome first step in the right direction, but “the measures taken so far are far from being a comprehensive solution to the problem”. We note in particular that the focal point process does not, and can not address the right of listed individuals to an effective review mechanism, which requires a certain degree of impartiality and independence in the decision-making itself. It is important to note that characterizing the sanctions measures as preventive rather than punitive does not bear on the need to safeguard procedural rights. Measures such as a world-wide comprehensive assets freeze and travel ban without any time limits strongly affect the substantive rights of individuals, and must therefore be counterbalanced with appropriate legal protection against error and misuse.

A recent judgment by the European Court of First Instance² underscores that necessity, and by extension highlights the difficulties faced by Member States in reconciling their obligation to implement decisions of the Security Council while respecting constitutional and international standards of human rights. In the long run, the Security Council should adopt procedural rules which provide safeguards of similar nature to those required from States under international human rights law. Such procedures will be beneficial for the accuracy and legitimacy of the sanctions regime and therefore for its effectiveness.

I thank you.

¹ A/HRC/4/88

² Organisation des Modjahedines du peuple d’Iran v. Council of the European Union, 12 December 2006.