



**STATEMENT BY MR. NIRUPAM SEN, PERMANENT REPRESENTATIVE, ON THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS AT THE SECURITY COUNCIL ON SEPTEMBER 13, 2004**

Mr. President,

As this is the first statement I am making in the Security Council, let me begin by extending my warm greetings to you and your colleagues in the Council.

Please allow me to extend our heartiest felicitations to you for assuming the Presidency of the Security Council for this important month in the calendar of activities of the United Nations. I also wish take to this opportunity to congratulate Ambassador Andrey Denisov of the Russian Federation on his exemplary stewardship of the Council during his Presidency in the month of August.

I wish to thank Ambassador Munoz, Chairman of the 1267 Committee, for his comprehensive briefing on the considerable progress achieved in the work of the Committee since the last public meeting on this issue. I would also like to place on record our appreciation of Ambassador Munoz and his able team as well as concerned members of the UN Secretariat for the direction they have provided in the implementation of the relevant resolutions of the Al-Qaeda/Taliban sanctions regime.

Mr. President,

It has been three years since the attacks of September 11 in New York. Unfortunately, since then, incidents of terrorism in the Russian Federation, Spain, Saudi Arabia, India and other parts of the world, have amply demonstrated that international terrorism is not a passing phenomenon. In fact, as Ambassador Munoz has rightly reiterated, it constitutes today one of the most serious threats to international peace and security.

The horrific images of the heinous murder of some 300 innocent civilians, mainly children, at the hands of terrorists in Beslan in the Russian Federation less than a fortnight ago are still fresh in our minds. The bomb attack outside the Australian Embassy in Jakarta on 9 September, which claimed at least four lives, was a manifestation of the same malaise - of international terrorism representing an attack on

all nations. I wish to take this opportunity to extend our deepest sympathy to the Governments of the Russian Federation and Indonesia, and our heartfelt condolences to the victims of the attacks and their families. We are with them in sorrow and solidarity.

The international community would have to do more than issuing routine condemnations of such acts of terrorism. It would have to act at bilateral, regional and multilateral levels to speedily and effectively address the clear and present danger represented by international terrorism. The 1267 and 1373 Committees of the Security Council are an important facet of the international community's response. It is therefore only natural that we carefully analyse the strategy adopted by these bodies in the fight against terrorism.

Mr. President,

The appointment of a new and efficient Analytical Support and Sanctions Monitoring Team, established pursuant to resolution 1526, is a welcome development. We agree with the Chair that the Team deserves to be commended for having produced a "concise, well-conceived and high-quality document" for its first report. I should like to provide our comments on some aspects of the report of the Monitoring Team:

- The assessment of the Monitoring Team that the threat from "Al-Qaeda terrorism remains as real today as it has been at any time since October 1999" has been validated by the number and intensity of attacks worldwide with their ideological underpinnings traceable to the Al-Qaeda.
- The Monitoring Team's conclusion that the sanctions regime imposed by the Security Council has had limited impact is disappointing as it reflects a continuation of the trend reported by the previous Monitoring Group in its first report issued pursuant to resolution 1455. In our statement on 29 July, 2003 during a public debate in the Council on the same item, we had noted that the Monitoring Group had reported on the limitations of the sanctions regime, in particular the continuing ability of the Al-Qaeda to finance its activities; ineffectiveness of the travel ban; continued use of small arms and light weapons; and the nexus between drug smuggling and terrorism.
- Where the report of the Monitoring Team is encouraging is in its recommendations on the ways and means to address the existing limitations. Most of the recommendations appear to be provisional, but could, in our view, form the basis for refinement of the existing measures required to adapt them to the changes in the nature of Al-Qaeda/Taliban operations.
- We agree with the assessment of the Team that the Taliban remain a real threat to the reconstruction and stability of Afghanistan. We do not, however, believe that the mutual support between the Al-Qaeda and Taliban is confined to assistance with local needs. Nor do we subscribe to the perception that the relevance of the Taliban was confined to the means and space they provided the Al-Qaeda to flourish. It has to be reiterated here that the Taliban was an offshoot of the same fundamentalist and militant ideology that spawned the

perpetrators of the terrorist attacks of 9/11 and elsewhere in the world. The fact that they continue to operate within Afghanistan is a telling indicator of the support and safe haven they continue to receive. The inescapable but unstated conclusion of the Report's analysis is the integral, seamless nature of the Al-Qaeda-Taliban relationship, their common ideological incubators and training. It is this Committee's mandate to identify those individuals and entities which represent this group with the intention of bringing to bear upon them the measures envisaged under the relevant resolutions, including 1526, and we hope it will do so without fear or favour.

- We also agree with the conclusion that the Consolidated list suffers from practical and technical problems. In our view, the first priority of the Committee and the Monitoring Team should be to convince Member States to be more forthcoming with information, particularly with regard to the Taliban, on individuals and entities in territories under their control. The second, should be to hold States that harbour such listed individuals or entities accountable for non-compliance of the relevant Chapter-VII resolutions.
- We appreciate the stated objective of the Monitoring Team to engage and cooperate with Member States in the implementation of its mandate. Some ideas enunciated in this regard, including the convening of a small group of professionals with the requisite experience and expertise to enhance understanding on the issue and the proposal to conclude an international agreement that would preclude offer of asylum to those on the Consolidated List are noteworthy and should be further explored.
- We also welcome the increase in number of tours to States to enhance coordination and information exchanges. We would caution, however, that to optimise results, such visits be carefully coordinated between the Chair, Committee and Monitoring Team. Ideally, a visit of this nature to a Member State should involve all three components and possibly even the CTC/CTED, in the context of greater cooperation envisaged with these bodies. This would enable a more coherent presentation of exchange of views, better access and less duplication in terms of time and money. The differing roles of the Committee and Team can be reconciled by bifurcating field visits or meetings after completion of the common elements of the programme.
- We do hope that in keeping with its professed spirit of cooperation and transparency, the Committee will authorise a more liberal sharing of information with the general membership on the results of such visits.

Mr President,

The report of the Monitoring Team has allowed us to start working on a new set of recommendations designed to increase the efficacy and relevance of the sanctions measures against terrorist groups such as the Taliban and Al-Qaeda. We are confident that some of the ideas these recommendations represent will receive further expression

by the time the next report of the Team is due. The continued relevance of the Committee and all of our efforts depend on keeping ahead of the game.

Before I conclude, I would like to express our agreement with the implication of the Secretary General's remarks quoted by you, Mr. President, and the remarks of the EU representative concerning sanctions being more effective in the context of fundamental freedoms and the rule of law. The present Government of India with its secular heritage, voted to power by the rural and urban poor, is committed in its common minimum programme to the repeal of the Prevention of Terrorism Act.

I wish to conclude by offering full cooperation in fulfilling the objectives of the Team and our willingness to share the expertise developed in India accumulated through decades of experience in countering terrorism.

Thank you, Mr. President.

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