

1267/1989/2253 ISIL (Da'esh) & Al-Qaida Sanctions Committee - Monitoring Team



*United Nations Security Council Action Against Terrorist Revenue
Generation Via Looting and Smuggling of Antiquities*

Paris: 26 November 2018

STRUCTURE OF THE PRESENTATION

- 1. UNSC 1267 ISIL/Al-Qaida sanctions regime and Resolution 2199 (2015)**
- 2. Resolution 2347 (2017)**
- 3. Conclusion and follow up**

1. UNSC 1267 ISIL/Al-Qaida sanctions regime and Resolution 2199 (2015)



Monitoring Team Mandate

- Supports two of the 14 Sanctions Committees of the United Nations Security Council:

1267 ISIL/Al-Qaida and 1988 (Taliban)
- Mandates of the two Sanctions Committees approved by the Security Council (**Chapter 7**) -

Measures are binding upon all Member States
- Three sanctions measures - Assets freeze / Travel ban / Arms embargo
- Monitoring Team - Core Mandate: Threat assessment, Monitoring of the implementation of the sanctions, Reports and Recommendations/Proposals for new sanctions measures, Management of the sanctions lists of individuals and entities

1267 Sanctions Regime and Cultural Goods

- **Global assets freeze**

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.

UNSCR 2368 (2017), para 1 (a)

- **Explanation of terms “Assets”:** Works of art and cultural property considered assets. **Res. 2368 (2017):** 7. *Notes that the requirements in paragraph 1 (a) above apply to financial transactions involving any funds, economic resources or income-generating activities that benefit individuals, groups, undertakings and entities on the ISIL (Da'esh) & Al-Qaida Sanctions List, including, but not limited to.... or antiquities by listed individuals, groups, undertakings and entities,*

Actions taken by the MT

- **Development of monitoring mechanism** relating to the illicit trade in Cultural Property
 1. Engagement with Member States concerning data on looting, smuggling and seizures
 2. WCO partnership
 3. UNESCO partnership
 4. INTERPOL partnership
 5. UNOSAT partnership
 6. Contacts to private sector and academia

Resolution 2199 (2015)

Recommendation #6 in Team's report S/2014/815:

*The Monitoring Team, noting that ANF and ISIL may generate revenue from the smuggling and sale of antiquities illegally taken from the territory of the Syrian Arab Republic or Iraq, recommends that the Chair request the Security Council to mandate a **world-wide moratorium** on the trading of antiquities from the Syrian Arab Republic or Iraq since the passing of resolution 2170 (2014) that lack clear, certified provenance.*

- **Resolution 2199 (2015): Global ban for cultural goods illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011 with or without links to terrorism**

Para. 17:

*Reaffirms its decision in paragraph 7 of resolution 1483 (2003) and decides that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance **illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items***

Development of a range of recommendations reflected in paragraph 17 of Resolution 2347 (2017)

2. UNSC RESOLUTION 2347 (2017)



Resolution 2347 (2017) Paragraph 17 – 1[^] Principle

Raising Awareness and Documentation

- **Para. 17:**

- ◆ ***Calls upon Member States***, in order to prevent and counter trafficking of cultural property illegally appropriated and exported in the context of armed conflicts, notably by terrorist groups, to consider **adopting the following measures**, in relation to such cultural property:
 - ◆ (i) Creating **educational programmes** at all levels on the **protection of cultural heritage** as well as raising public awareness about illicit trafficking of cultural property and its prevention;
 - ◆ (a) Introducing or improving cultural heritage's and properties' **local and national inventory lists**, including through digitalized information when possible, and making them easily accessible to relevant authorities and agencies, as appropriate;
 - ◆ (j) Taking appropriate steps to **inventory cultural property and other items of archaeological, historical, cultural, rare scientific and religious importance** which have been illegally removed, displaced or transferred from armed conflict areas, and **coordinate with relevant UN entities and international actors**, in order to ensure the **safe return** of all listed items;
 - ◆ (f) Using and contributing to the **INTERPOL Database of Stolen Works of Art, UNESCO Database of National Cultural Heritage Laws, and WCO ARCHEO Platform**, and relevant current national databases, as well as providing relevant data and information, as appropriate, on **investigations and prosecutions** of relevant crimes and related outcome to **UNODC portal SHERLOC** and **on seizures of cultural property to the Analytical Support and Sanctions Monitoring Team**;

Resolution 2347 (2017) Paragraph 17 – 2[^] Principle Control Mechanisms

- **Para. 17 (continued):**
- ◆ (b) Adopting adequate and effective **regulations on export and import**, including **certification of provenance** where appropriate, of cultural property, consistent with international standards;
- ◆ (d) Establishing, where appropriate, in accordance with national legislation and procedures, **specialized units in central and local administrations as well as appointing customs and law enforcement** dedicated personnel, and providing them, as well as public prosecutors, with effective tools and adequate training;
- ◆ (c) Supporting and contributing to update the World Customs Organization (**WCO**) **Harmonized System Nomenclature and Classification of Goods**;
- ◆ (e) Establishing procedures and where appropriate **databases devoted to collect information on criminal activities** related to cultural property and on illicitly excavated, exported, imported or traded, stolen, trafficked or missing cultural property;

Resolution 2347 (2017) Paragraph 17 – 3[^] Principle

Private Sector Procedures

- **Para. 17 (continued):**

- ◆ (g) Engaging museums, relevant business associations and antiquities market participants on **standards of provenance documentation, differentiated due diligence** and all measures to prevent the trade of stolen or illegally traded cultural property;
- ◆ (h) Providing, where available, to relevant industry stakeholders and associations operating within their jurisdiction **lists of archaeological sites, museums and excavation storage houses that are located in territory under the control of ISIL** or any other group listed by the 1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee;

3. CONCLUSION AND FOLLOW UP



Conclusion and follow up

- ◆ Higher awareness among Member States, international organisations and the private sector.
- ◆ Member States challenges.
- ◆ It is now important for Member States, the respective international organizations, the private sector as well as civil society to follow up on the decision of the Security Council outlined in resolution 2347 (2017).
- ◆ Continuing engagement of Member States and the relevant international organizations. Review of resolution 2347 (2017) implementation in regular intervals.

Thank you for your attention



**ISIL (Da'esh) & Al-Qaida and Taliban
Analytical Support and Sanctions Monitoring Team**

<https://www.un.org/sc/suborg/en/sanctions/1267>