

Jaish e Mohammed Chief Mohammed Masood Azhar Alvi Declared Global Terrorist by the UNSC- Its Impact

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ABSTRACT

Finally United Nations Security Council declared Masood Azhar- the Chief of JeM as a global terrorist on 1st May, 2019. It seems to be a huge diplomatic win for India, which was the outcome more than one decade process. The declaration was made under UNSC Sanctions Committee Resolution 1267. As a result of which travel ban, asset freeze and arms embargo etc. shall be imposed upon the JeM Chief immediately by the member States of UNSC. Accordingly Pakistan should demonstrate their commitment before FATF in the next Plenary held in the month of September, 2019.

1. Introduction

After Masood Azhar Alvi's release in exchange of passengers of the hijacked Indian Airlines IC-814 flight in the year 1999 by the then BJP government, he went on to form Jaish-e-Mohammed and ordered many terror strikes in India, viz; attack on Parliament House, Pathankot Air Force base, Army camps in Jammu and Kashmir, including the Pulwama suicide bombing attack. Masood Azhar was recently shifted to safe house in Islamabad. Now he was put under house arrest at Markaz Subhan Allah in Bahawalpur.ⁱ After waiting of more than one decade on 1st Day of May, 2019 the United Nations Security Council declared JeM chiefⁱⁱ Mohammed Masood Azhar Alvi as a global terrorist. It was possible only after China lifted its hold on a proposal to black list him.

The United Nations Security Council ordered to freeze all the assets and accounts related to Jaish and Azhar. Long time Jaish terrorist group was sheltered by Pakistan. All the activities Jaish was done with under cover and uses the soil of Pakistan. Jaish also influences the separatist belongs to Jammu and Kashmir and always push the militants into the Indian part. In February 14, 2019 Jaish has conducted suicide bombing attack at the CRPF Convoy in Pulwama in Jammu & Kashmir, the attack resulted more than 40 soldiers died. Jaish claimed the responsibility of the attack. India creates diplomatic pressure at the international level to declare Masood Azhar as global terrorist. All the big power nations make consent on this. It is also reflected in India's dossier that Masood Azhar is actively involved in terror funding operations, raised through events under his terror group's different wings, including student factions-a small organized dissenting group with a larger one, especially in politics. Such operations will be strictly prohibited under the new sanctions against him.

In February, 2019 just day after the Pulwama attack the Permanent Members (P-3) of the Security Council like France, United Kingdom and USA had moved with a proposal in the Security Council's 1267 Al Qaeda Sanctions Committee for Masood Azhar's designation as a global terrorist. Russia as the permanent member of the Security Council has backed by the proposal.

But single China being one of the permanent members of the Security Council has some technical doubt about the activities of the Jaish group and applied Veto power against the proposal. In the years 2016 and 2017, when China repeatedly blocked Azhar's listing as global terrorist it used to ask India to directly negotiate with Pakistan on the issue. In the course of high level exchanges between India and China, Beijing offered to lift its 'technical hold' on Jaish e Mohammed chief Masood Azhar's terror listing if India committed not attacking Pakistan de-escalating the tension arises between two countries. In this regard India refused. Finally China removed its hold on the fresh proposal moved by the 'P-3' (France, UK and USA) Member States of the UN Security Council on 29th April, 2019.

2. The reason for listing Masood Azhar as global terrorist:

The reasons for designating Masood Azhar as a global terrorist due to his continuous support for the JeM since its founding, being associated with the Al-Qaeda by recruiting for them and "participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities or supplying, selling or transferring arms and related material". It also pointed to his role in recruiting fighters in Afghanistan. The JeM itself was sanctioned by the 1267 Committee in 2001.ⁱⁱⁱ

Masood Azhar is also a former leader of the terrorist group Harakat Ul-Mujahidin, Aka Harakat Ul-Ansar and most of these groups' members subsequently joined JeM under Azhar's leadership. In 2008, JeM recruitment posters contained a call from Azhar for volunteers to join the fight in Afghanistan against Western forces.^{iv}

3. Impact of the Sanctions:

The Sanctions Committee of the United Nations Security Council was established under the Resolution Number 1267 in 1999, which impose limited sanctions on Taliban. In the course of time the Sanctions regime has evolved to include a lot of measures against designated individuals and entities. The main impacts of the Sanctions imposed by the Committee are summarised below:

1. **Assets Freeze:** All the Member States of the United Nations are required to freeze without delay the funds and other financial assets or economic resources of designated individuals and entities.
2. **Travel Ban:** All the Member States are required to prevent the entry into or transit through their territories by designated individuals.
3. **Arms embargo :** All Member States are required to prevent the direct or indirect supply, sale and transfer from their territories or by their nationals, outside their territories or using their flag vessels or aircraft, arms and related materials of all types, spare parts and technical advice, assistance or training related to military activities, to designated individuals and entities.

4. India's Reaction:

India's Ambassador to the United Nations- Syed Akbaruddin announced on 1st May, 2019 that "Big, small, all join together. Masood Azhar designated as a terrorist in UN Sanctions list and grateful to all for their support."^v After his announcement many leaders declared it is a huge diplomatic win for India. India welcomes the UNSC listing of Masood Azhar as global terrorist. While addressing the mass gathering Hon'ble Prime Minister of India Shri Narendra Modi said, "It is a big success in India's efforts to root out terrorism. India's voice is being heard globally. India's views cannot be ignored any longer, it has been proved".^{vi} According to the view of MEA (Ministry of External Affairs) Spokesperson Ravish Kumar, in the UN notification, it was very clearly states that Masood Azhar was listed for participating, facilitating and perpetrating terrorist activities associated with JeM. In order to Pakistan's FATF (Financial Action Task Force)^{vii} obligations, Pakistan has to demonstrate effective implementation of targeted financial sanctions against the Resolutions 1267 and 1373^{viii} of the UN Security Council designated terrorists and those acting for or on their behalf, including preventing the raising and moving of funds, identifying and freezing assets and prohibiting access to funds and financial services.^{ix} Accordingly Pakistan was asked question regarding the action plan in the FATF Plenary was held in the month of June, 2019 at Orlando, Florida. The action taken by Pakistan was not sufficient enough that found in the

FATF Plenary and it lacks to fulfil the commitment. Again the FATF set up the deadline for Pakistan upcoming September, 2019 for total curb of financial assistance to the terrorist groups. If they fail to implement or take credible, verifiable, irreversible and sustainable measures against terrorist activities then FATF will consider about the next steps.^x In this regards India put the diplomatic pressure at the international level for curb the financial assistance to the terrorist groups by Pakistan and ensure to reduce tension arises due to the cross-border terrorism.

5. Observation:

Masood Azhar's listing as a global terrorist results that, a travel ban will be imposed on him; it is one of the most basic Sanctions under the Resolution. Azhar's assets and economic resources will first be investigated and seized as per the guidelines. While Masood Azhar's JeM has already been prescribed by the UN as a global terror group in 2001, the fresh development allows authorities to crack down on the leader's personal assets apart from curbing some of his rights. No entity or individual will be able to transfer or sell arms or ammunition to Azhar.^{xi} The Sanctions Committee also oversees the implementation of the Sanction measures and feedback reports annually to the Security Council on the implementation of these measures. Accordingly Azhar's designation as a global terrorist will force Pakistan to act against him and individuals and entities associated with him. This will effectively mean total immobilization of Masood Azhar and shut down of his organization and its institutions such as terror camps and Madrasas.^{xii} This will definitely put an impetus on the other terrorist groups and terror funding agency and they should think twice before conduct the terrorist activities with using the soil of Pakistan. However, Pakistan should take the stringent steps against the Jaish group and curb the terror findings according FATF Plenary commitment otherwise they should be put on black list. Recently the reaction from Pakistan's part reflected that the LeT chief Hafeez Sayeed was arrested by military in the mid of the July 2019 from Punjab province. The continuous effort towards counter terrorism activities should have made by the Pakistan for getting financial assistance otherwise mark as black list by the FATF.

Notes

ⁱ Jaish-e-Mohammed Chief Masood Azhar Designated Global Terrorist, NDTV India Report May 01, 2019 22:02 IST.

ⁱⁱ Jaish e Mohammad literally means the Army of Mohammad. Masood Azhar founded this group after he was released by India in the year 1999.

ⁱⁱⁱ Sriram Lakshman and Subhashini Haider report on 'UN designates JeM chief Masood Azhar as global terrorist', THE HINDU, New Delhi/Washington, May 01, 2019.

^{iv} <https://www.un.org/securitycouncil/content/mohammad-masood-azhar-alvi>, accessed on 17/06/2019.

^v Masood Azhar: Jaish-e-Mohammed leader listed as terrorist by UN, BBC NEWS, 1st May, 2019, Asia Region.

^{vi} The Economic Times report, "India welcomes UN listing of Masood Azhar as global terrorist; PM Modi calls it big success", May 01, 2019, 10.56 PM IST.

^{vii} The Financial Action Task Force (FATF) is an inter-governmental body established in 1989 by the Ministers of its Member jurisdictions. The objectives of the FATF are to set standards and promote effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system.

^{viii} UN Security Council Resolution unanimously adopted on 15th October, 1999 after recalling the Resolutions 1189, 1193 and 1214 on the situation in Afghanistan, the Council designated Osama Bin Laden and associates as terrorists and establish a Sanctions regime to cover individuals and entities associated with Al-Qaeda and UN Security Council Resolution 1373 unanimously adopted on 28th September, 2001 is a counter-terrorism measure passed on the consequences of 11th September terrorist attacks on the United States

^{ix} Indrani Bagchi's report on 'India rejected China's terms for ban on JeM chief Masood', Times of India News, 3rd May, 2019. Also visit [https://www.fatf-gafi.org/calender/eventcalender/?hf=10&b=0&s=asc\(fatf_date1\)](https://www.fatf-gafi.org/calender/eventcalender/?hf=10&b=0&s=asc(fatf_date1))

- ^x Sriram Lakshman report on 'Blacklisting Pakistan absolutely a possibility: FATF President' THE HINDU, Washington, June 25, 2019.
- ^{xi} UN lists Jem chief Masood Azhar as global terrorist: What happens next?, India Today News, May 2, 2019.
- ^{xii} The Economic Times report, "Masood Azhar is now a UN global terrorist: Know what it means", 2nd May, 2019.

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