



Bangko Sentral ng Pilipinas

OFFICE OF THE DEPUTY GOVERNOR SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2009-040

To : All Banks and Non-Bank Financial Institutions Under
BSP Supervision

Subject : Anti-Money Laundering Council (AMLC)
Resolution No. 30 dated 29 April 2009

Pursuant to Anti-Money Laundering Council Resolution No. 30 dated 29 April 2009 (copy attached), you are hereby informed that on 15 April 2009, the Security Council Al-Qaida and Taliban Sanctions Committee approved the addition of **ABDUL HAQ** to its Consolidated List of Individuals and entities subject to the assets freeze, travel ban and arms embargo set out in paragraph 1 of Security Council resolution 1822 (2008) adopted under Chapter VII of the Charter of the United Nations.

Under the same resolution all covered institutions are directed to submit to the Council reports of covered or suspicious transactions, if any involving **ABDUL HAQ**.

In accordance with Sections 7 and 9 of the Anti-Money Laundering Act (AMLA) of 2001, as amended, and Rule 9.3 of the Revised Implementing Rules and Regulations, you are hereby directed to submit directly to the AMLC reports of covered and suspicious transaction, if any, involving the above-named individual.

For your guidance and strict implementation.


NESTOR A. ESPENILLA, JR.
Deputy Governor

11 May 2009

Att.: A/S

PANANALAPING MATATAG, BANSANG PANATAG



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 30 Series of 2009

In its Memorandum dated 21 April 2009, the AMLC Secretariat (AMLCS) reported to the Council that:

*On 15 April 2009¹, the Security Council Al-Qaida and Taliban Sanctions Committee approved the addition of **ABDUL HAQ** to its Consolidated List of individuals and entities subject to the assets freeze, travel ban and arms embargo set out in paragraph 1² of Security Council resolution 1822 (2008) adopted under Chapter VII of the Charter of the United Nations. Details of the individual included in the list are as follows:*

Name	: ABDUL HAQ;
DOB	: 10 Oct. 1971;
POB	: <i>Chele County, Khuttan Area, Xinjiang Uighur Autonomous Region, China;</i>
A.k.a.	: <i>Maimaitiming Maimaiti; Abdul Heq;</i>

¹ Security Council, SC/9636

² 1. *Decides* that all States shall take the measures as previously imposed by paragraph 4(b) of resolution 1267 (1999), paragraph 8(c) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Usama bin Laden and the Taliban, and other individuals, groups, undertakings, and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List"):

(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, or by their nationals or by persons within their territory;

(b) Prevent the entry into or transit through their territories of these 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 Committee determines on a case-by-case basis only that entry or transit is justified;

(c) Prevent the direct or indirect supply, sale, or transfer, to these individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities.

Abuduhake; Abdulheq Jundullah; 'Abd Al-Haq; Memetiming Memeti; Memetiming Aximu; Memetiming Qekeman; Maimaitimin Maimaiti; Abdul Saimaiti; Muhammad Ahmed Khaliq; Maimaiti Iman; Muhelisi; Qerman; Saifuding

Nationality : Chinese

National id no. : Chinese national identity card number 653225197110100533:

Listed on : 15 Apr. 2009

Other information : Location (as of Apr. 2009): Pakistan. Overall leader and commander of the Eastern Turkistan Islamic Movement (listed under permanent reference number QE.E.88.02.). Involved in fundraising and recruitment for this organization.

The statement of case detailing the bases for listing of the above-mentioned individual, as provided by the designating State(s), states:³

"Abdul Haq, also known as Maimaitirning Maimaiti, is the overall leader and commander of the 'Eastern Turkistan Islamic Party, also known as the Eastern Turkistan Islamic Movement. The Security Council Al-Qaida and Taliban Sanctions Committee added Eastern Turkistan Islamic Party to its Consolidated List of individuals and entities associated with Al-Qaida or the Taliban on 11 September 2002 (listed as "Eastern Turkistan Islamic Movement" under permanent reference number QE.E.88.02.).

As Eastern Turkistan Islamic Party overall leader, Abdul Haq raised funds, recruited terrorists and continued to develop the terrorist organization. In early January 2008, Abdul Haq directed Eastern Turkistan Islamic Party's military commander to aggressively attack all central cities in inner China, particularly focusing on the eight cities holding the Olympic Games. Under Abdul Haq, trained terrorists planned to sabotage the Olympic Games by

³ In accordance with Section 6, paragraph (9) of the Committee's Guidelines for the Conduct of its Work.

conducting terrorist attacks within China before the Olympics began.

Since late 2007, Abdul Haq sent terrorists to the Middle East to raise funds and buy explosive materials for terrorist attacks against Chinese targets outside China. Abdul Haq became the leader of Eastern Turkistan Islamic Party following the death of the organization's previous leader in October 2003 and has since acted, for or on behalf of the organization. As of 2005, Haq was also a member of Al-Qaida's Shura Council."

The inclusion of **ABDUL HAQ** in the list of the UN Security Council validates his being associated with terrorists.

United Nations Security Council Resolution (UNSCR) 1373 adopted by the Security Council at its 4385th meeting on 28 September 2001 provides:

"Acting under Chapter VII of the Charter of the United Nations,

1. Decides that all States shall:

- (a) Prevent and suppress the financing of terrorist acts;
- (b) Criminalize the willful provision or collection, by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds should be used, or in the knowledge that they are to be used, in order to carry out terrorist acts;
- (c) Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit terrorist acts or participate in or facilitate the commission of terrorist acts; of entities owned or controlled directly or indirectly by such persons; and of persons and entities acting on behalf of, or at the direction of such persons and entities, including funds derived or generated from property owned or controlled directly or indirectly by such persons and associated persons and entities;
- (d) Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the

commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons."

Section 7(1) of R.A. 9160, as amended, provides:

"SEC. 7. Creation of Anti-Money Laundering Council (AMLC)
- The Anti-Money Laundering Council is hereby created and shall be composed of the Governor of the Bangko Sentral ng Pilipinas as chairman, the Commissioner of the Insurance Commission and the Chairman of the Securities and Exchange Commission as members. The AMLC shall act unanimously in the discharge of its functions as defined hereunder:

(1) to require and receive covered or suspicious transaction reports from covered institutions; (emphasis supplied)

Moreover, the Revised Implementing Rules and Regulations of the Anti-Money Laundering Act of 2001, as amended, provide:

"Rule 13.7.2. Authority to Assist the United Nations and other International Organizations and Foreign States. – The AMLC is authorized under Section 7 (8) and 13 (b) and (d) of the AMLA to receive and take action in respect of any request of foreign states for assistance in their own anti-money laundering operations. It is **also authorized under Section 7 (7) of the AMLA to cooperate with the National Government and/or take appropriate action in respect of conventions, resolutions and other directives of the United Nations (UN), the UN Security Council, and other international organizations of which the Philippines is a member.** However, the AMLC may refuse to comply with any such request, convention, resolution or directive where the action sought therein contravenes the provision of the Constitution or the execution thereof is likely to prejudice the national interest of the Philippines. (emphasis supplied)

As a charter member of the United Nations and as part of the international coalition against terrorism, the Philippines, through the Anti-Money Laundering Council, must actively support the actions required under the subject UNSC Resolutions.

The Council resolved to:

(1) Direct all covered institutions to submit to the Anti-Money Laundering Council reports of covered or suspicious transactions, if any, involving **ABDUL HAQ**; and

(2) Request the Supervising Authorities to disseminate copies of this Resolution to all covered institutions under their respective jurisdictions.

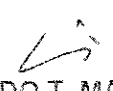
29 April 2009. Manila. Philippines.



AMANDO M. TETANGCO, JR.
Chairman
(Governor, Bangko Sentral ng Pilipinas)



FE B. BARIN
Member
(Chairman, Securities and Exchange Commission)



EDUARDO T. MALINIS
Member
(Commissioner, Insurance Commission)