



Bangko Sentral ng Pilipinas

OFFICE OF THE DEPUTY GOVERNOR SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2010- 086

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

Subject : Anti-Money Laundering Council (AMLC)
Resolution No. 108 dated 17 November 2010

Pursuant to Anti-Money Laundering Council Resolution No. 108 dated 17 November 2010 (copy attached), you are hereby informed that on 27 September 2010, the United Nations Security Council Al-Qaida and Taliban Sanctions (SCAQTS) Committee approved the changes in entries in the Consolidated List of the following individuals associated with Al-Qaida: (1) **YASSER MOHAMED ISMAIL ABU SHAWEESH**, (2) **YOUSSEF BEN ABDUL BAKI BEN YUCEF ABDAOUI**, (3) **KAMAL BEN MOHAMED BEN AHMED DARRAJI**, (4) **MOHAMED BEN MOHAMED BEN KHALIFA ABDELHEDI**, and (5) **CHABAANE BEN MOHAMED BEN MOHAMED AL-TRABELSI**.

Under the same resolution, all covered institutions are directed to submit to the Anti-Money Laundering Council reports of suspicious transactions, if any, involving (1) **YASSER MOHAMED ISMAIL ABU SHAWEESH**, (2) **YOUSSEF BEN ABDUL BAKI BEN YUCEF ABDAOUI**, (3) **KAMAL BEN MOHAMED BEN AHMED DARRAJI**, (4) **MOHAMED BEN MOHAMED BEN KHALIFA ABDELHEDI**, and (5) **CHABAANE BEN MOHAMED BEN MOHAMED AL-TRABELSI**, including all transactions that occurred within the past five (5) years counting from the date of receipt of the AMLC resolution.

For your guidance and strict implementation.


NESTOR A. ESPENILLA, JR.
Deputy Governor

15 December 2010

Att: A/S

PANANALAPING MATATAG, BANSANG PANATAG



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 108 Series of 2010

In its Memorandum dated 8 November 2010, the AMLC Secretariat (AMLC Secretariat) reported to the Council that:

On 27 September 2010, the United Nations Security Council Al-Qaida and Taliban Sanctions Committee approved the changes in an entry in the Consolidated List ("Consolidated List") of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1¹ of Security Council Resolution 1904 (2009) adopted under Chapter VII of the Charter of the United Nations.

The details of the changes are as follows:

C. Individuals associated with Al-Qaida

Name	: 1: YASSER 2: MOHAMED 3: ISMAIL 4: ABU SHAWEESH
Name (original script)	: ياسر محمد اسماعيل أبو شويش
Date Of Birth	: 20 Nov. 1973
Place Of Birth	: Benghazi, Libyan Arab Jamahiriya
Good quality a.k.a.	: Yasser Mohamed Abou Shaweesh
Passport no.	: a) Egyptian travel document 939254 b) Egyptian passport 0003213 c) Egyptian passport 981358 d) Passport substitute C00071659 issued by the Federal Republic of Germany
Address	: Germany
Listed on	: 6 Dec. 2005 (amended on 7 Sep. 2007,

¹ 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):

Other information : 11 Mar. 2010, 28 Sep. 2010)
 : On 6 Dec. 2007 he was found guilty of supporting a foreign terrorist organization and of multiple counts of fraud and attempted fraud. He received a prison sentence of 5 years and 6 months. The judgement has taken final and binding effect. His brother is Ismail Mohamed Ismail Abu Shaweesh (QI.A.224.06.). Review pursuant to Security Council resolution 1822 (2008) was concluded on 24 Nov. 2009.

Likewise, on 9 September 2010, the Committee approved the changes in entries in the 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 1904 (2009) adopted under Chapter VII of the Charter of the United Nations. The details of the changes are as follows:

C. Individuals associated with Al-Qaida

Name : 1: YOUSSEF 2: BEN ABDUL BAKI 3: BEN YUCEF 4: ABDAOUI
Name (original script) : يوانبعل فوسوي نب يقابل دبغ نب فوسوي
Date Of Birth : 4 Sep. 1966
Place Of Birth : Kairouan, Tunisia
Good quality a.k.a. : na
Low quality a.k.a. : a) Abu Abdullah b) Abdellah c) Abdullah d) Abou Abdullah e) Abdullah Youssef
Nationality : Tunisian
Passport no. : Tunisian passport number G025057, issued on 23 Jun. 1999 , expired on 5 Feb. 2004
National identification no. : na
Address : a) Via Romagnosi, n. 6, Varese, Italy b) Piazza Giovane Italia n.2, Varese, Italy c) Cassano Magnago (VA), Via Torino n.8/B, Italy d) Jabal Al-Rayhan, Al-Waslatiyyah, Kairouan, Tunisia
Listed on : 25 Jun. 2003 (amended on 23 Jun. 2004, 20 Dec. 2005, 17 Oct. 2007, 9 Sep. 2010)
Other information : Italian Fiscal Code: BDA YSF 66P04

Z352Q. Inadmissible in Schengen area.
Resided in Italy as at Jun. 2009.
Mother's name: Fatima Abdaoui.
 Review pursuant to Security Council
 resolution 1822 (2008) was concluded
 on 22 Apr. 2010.

QI.D.174.04. Name : 1: KAMAL 2: BEN MOHAMED 3: BEN
 AHMED 4: DARRAJI
Name (original script) : يـجـاـرـدـلـا دـمـحـا نـب دـمـحـم نـب لـا مـك
Title : na
Designation : na
DOB : 22 Jul. 1967
POB : Menzel Bouzelfa, Tunisia
Good quality a.k.a. : Kamel Darraji
Low quality a.k.a. : na
Nationality : Tunisian
Passport no. : Tunisian passport number L029899,
 issued on 14 Aug. 1995 , expired on 13
 Aug. 2000
National identification no. : a) Italian Fiscal Code DDR KML 67L22
 Z352Q b) Italian Fiscal Code DRR
 KLB 67L22 Z352S
Address : Via Varzi, n. 14/A – Busto Arsizio,
Varese, Italy (as at Dec. 2009)
Listed on : 23 Jun. 2004 (amended on 20 Dec.
 2005, 17 Oct. 2007, 3 Jun. 2009, 9
 Sep. 2010)
Other information : Resided in Italy as at Dec. 2009.
 Review pursuant to Security Council
 resolution 1822 (2008) was concluded
 on 9 Apr. 2010.

QI.A.173.04. Name : 1: MOHAMED 2: BEN MOHAMED 3:
 BEN KHALIFA 4: ABDELHEDI
Name (original script) : يـدـا مـلـا دـب ع قـفـيـلـخ نـب دـمـحـم نـب دـمـحـم
Title : na
Designation : na
DOB : 10 Aug. 1965
POB : Sfax, Tunisia
Good quality a.k.a. : Mohamed Ben Mohamed Abdelhedi
Low quality a.k.a. : na
Nationality : Tunisian
Passport no. : Tunisian passport number L965734,

issued on 6 Feb. 1999 expired on 5 Feb. 2004

National identification no. : na

Address : a) Via Galileo Ferraries n. 64, Varese, Italy b) 261 Kramdah Road (km 2), Sfax, Tunisia

Listed on : 23 Jun. 2004 (amended on 20 Dec. 2005, 31 Jul. 2006, 17 Oct. 2007, 9 Sep. 2010)

Other information : Italian Fiscal Code: BDL MMD 65M10 Z352S. Mother's name: Shadhliah Ben Amir. Resided in Italy as at Aug. 2009. Review pursuant to Security Council resolution 1822 (2008) was concluded on 9 Apr. 2010

QI.A.178.04. Name : 1: CHABAANE 2: BEN MOHAMED 3: BEN MOHAMED 4: AL-TRABELSI

Name (original script) : يسلم بارطلا دمحم نب دمحم نب ناب عش

Title : na

Designation : na

DOB : 1 May 1966

POB : Menzel Temime, Nabeul, Tunisia

Good quality a.k.a. : Chabaane Ben Mohamed Trabelsi

Low quality a.k.a. : na

Nationality : Tunisian

Passport no. : Tunisian passport number L945660, issued on 4 Dec. 1998 , expired on 3 Dec. 2001

National identification no. : na

Address : b) Via Salvo D'Acquisto, n. 2, Varese, Italy (as at Dec. 2009)

Listed on : 23 Jun. 2004 (amended on 20 Dec. 2005, 17 Oct. 2007, 9 Sep. 2010)

Other information : Italian Fiscal Code: TRB CBN 66E01 Z352O. Resided in Italy as at Dec. 2009. Review pursuant to Security Council resolution 1822 (2008) was concluded on 21 Jul. 2010.

YASSER MOHAMED ISMAIL ABU SHAWEESH was the subject of AMLC Resolution No. 8 dated 30 January 2006 while MOHAMED BEN MOHAMED BEN KHALIFA ABDELHEDI and

CHABAANE BEN MOHAMED BEN MOHAMED AL-TRABELSI were subjects of AMLC Resolution No. 394 dated 14 July 2004. Both Resolutions directed covered institutions to submit directly to the Council reports of covered or suspicious transactions, if any, on the said persons. The other individuals, on the other hand, were not included in any prior AMLC Resolutions.

The inclusion of YASSER MOHAMED ISMAIL ABU SHAWEESH; YOUSSEF BEN ABDUL BAKI BEN YUCEF ABDAOUI; KAMAL BEN MOHAMED BEN AHMED DARRAJI; MOHAMED BEN MOHAMED BEN KHALIFA ABDELHEDI and CHABAANE BEN MOHAMED BEN MOHAMED AL-TRABELSI in the Consolidated List of the UN Security Council validates their being associated with Al-Qaida, a known terrorist organization.

The United Nations Security Council Resolution (UNSCR) 1373 adopted on 28 September 2001 provides that:

"The Security Council,

x x x

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;

x x x"

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".

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 said UNSCR.

The Council resolved to:

(1) Direct all covered institutions to submit to the Anti-Money Laundering Council reports on suspicious transactions, if any, involving YASSER MOHAMED ISMAIL ABU SHAWEESH; YOUSSEF BEN ABDUL BAKI BEN YUCEF ABDAOUI; KAMAL BEN MOHAMED BEN AHMED DARRAJI; MOHAMED BEN MOHAMED BEN KHALIFA ABDELHEDI and CHABAANE BEN MOHAMED BEN MOHAMED AL-TRABELSI, including all transactions that occurred within the past five (5) years counting from the date of receipt of this Resolution;

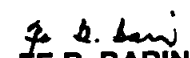
(2) Authorize the AMLC Secretariat to file, through the Office of the Solicitor General (OSG), an application to freeze the bank account/s and other assets, if any, of the aforementioned individuals;

(3) Authorize the Executive Director, or in his absence, the Officer-in-Charge of the AMLC Secretariat, to sign the Verification and Certification of the Petition, and all other pleadings, initiatory or otherwise, related to the foregoing case; and

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

17 November 2010, Manila, Philippines.


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


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


VIDA B. CHIONG
Acting Member
(Officer-in-Charge, Insurance Commission)