



BANGKO SENTRAL NG PILIPINAS

**OFFICE OF THE DEPUTY GOVERNOR
SUPERVISION AND EXAMINATION SECTOR**

CIRCULAR LETTER NO. CL-2011- 066

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

Subject : Circular Letter - Anti-Money Laundering Council (AMLC) Resolution No. 89 dated 1 September 2011

Pursuant to Anti-Money Laundering Council (AMLC) Resolution No. 89 dated 1 September 2011 (copy attached), you are hereby informed that on 15 June 2011, the United Nations (UN) Security Council Al-Qaida and Taliban Sanctions (SCAQTS) Committee approved the addition of **(1) OTHMAN AHMED OTHMAN AL-GHAMDI** and **(2) AL HARAMAIN ISLAMIC FOUNDATION** from its Consolidated List ("Consolidated List") of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in the paragraph 1 of Security Council Resolution 1904 (2009) adopted under Chapter VII of the Charter of the United Nations.

In addition, you are also directed to submit to the AMLC Suspicious Transaction Reports, if any, involving transactions of said individuals/entities that occurred within the past five (5) years counting from the date of receipt of said AMLC Resolution.

For your guidance and strict implementation.


NESTOR A. ESPENILLA, JR.
Deputy Governor

23 September 2011

Att: A/S



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 89 Series of 2011

In its Memorandum dated 19 August 2011, the AMLC Secretariat (AMLCS) reported to the Council that:

On 15 June 2011, the United Nations Security Council Al-Qaida and Taliban Sanctions Committee (the "Committee") approved the addition of an individual to its Consolidated List (the "Consolidated List") of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1¹ of United Nations Security Council (UNSC) Resolution 1904 (2009) adopted under Chapter VII of the Charter of the United Nations. The details of the individual added in the list are as follows:

C. Individuals associated with Al-Qaida

Name	: OTHMAN 2: AHMED 3: OTHMAN 4: AL-GHAMDI
Name (original script)	: عثمان أحمد عثمان الغامدي
DOB	: 27 May 1979
POB	: Saudi Arabia
Good quality a.k.a.	: a) Othman al-Ghamdi, born 27 May 1979 in Saudi Arabia b) Uthman al-Ghamdi, born 27 May 1979 in Saudi Arabia c) Uthman al-Ghamidi, born 27 May 1979 in Saudi Arabia d) Othman bin Ahmed bin Othman Alghamdi e) Othman Ahmed Othman Al Omairah, born in 1973 in Shabwa, Yemen, nationality: Yemeni f) Uthman Ahmad Uthman al-Ghamdi g) Othman Ahmed

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, undertaking and entities associated with them, as referred to in the list created pursuant to Resolutions 1267 (1999) and 1333 (2000) (the "Consolidated List").

Low quality a.k.a. Othman al-Omirah
a) Al Umairah al-Ghamdi **b)** Othman Bin Ahmed Bin Othman

Nationality : Saudi Arabian

National identification no. : Saudi Arabian national identity card number 1089516791

Address : Yemen

Listed on : 16 Jun. 2011

Other information : Operational commander of Al-Qaida in the Arabian Peninsula (AQAP) (QE.A.129.10.). Has been involved in raising funds and stockpiling arms for AQAP operations and activities in Yemen. Known associate of Qasim Yahya Mahdi al-Rimi (QI.A.282.10.) and Fahd Mohammed Ahmed al-Quso (QI.A.288.10.). INTERPOL Orange Notice (file number 2009/52/OS/CCC, #14). INTERPOL Red Notice (Control Number A-596/3-2009, File Number 2009/3731). Father's name is Ahmed Othman Al Omirah.

On 14 June 2011, the Committee also approved the deletion of the name of Safet Durguti from the Consolidated List, as well as the amendment of an entry thereon with the following details:

D. Entities and other groups and undertakings associated with Al-Qaida

Name : AL-HARAMAIN ISLAMIC FOUNDATION

A.k.a. **a)** Vazir **b)** Vezir

Address : **a)** 64 Poturmahala, Travnik, Bosnia and Herzegovina **b)** Sarajevo, Bosnia and Herzegovina

Listed on : 13 Mar. 2002 (amended on 26 Dec. 2003, 16 Sep. 2008, 16 Jun. 2011)

Other information : Under criminal investigation by the authorities of Bosnia and Herzegovina as of Nov. 2007. Employees and associates include Najib Ben Mohamed Ben Salem Al-Waz (listed under permanent reference number QI.A.104.03.). Review pursuant to Security Council resolution 1822 (2008) was concluded on 22 Jun. 2010.

The inclusion of OTHMAN AHMED OTHMAN AL-GHAMDI and AL-HARAMAIN ISLAMIC FOUNDATION in the Consolidated List validates their being associated with the Al-Qaida, a known terrorist organization.

The UNSC Resolution 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 subject UNSC Resolutions.

The Council resolved to:

(1) Direct all covered institutions to submit to the Anti-Money Laundering Council reports on suspicious transactions, if any, involving OTHMAN AHMED OTHMAN AL-GHAMDI and AL-HARAMAIN ISLAMIC FOUNDATION, including all transactions that occurred within the past five (5) years counting from the date of receipt of this Resolution; and

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

01 September 2011, Manila, Philippines.


NESTOR A. ESPENILLA, JR.
Acting Chairman

(Officer-in-Charge, Bangko Sentral ng Pilipinas)


TERESITA J. HERBOSA
Member

(Chairperson, Securities and Exchange Commission)


EMMANUEL F. DOOC
Member

(Commissioner, Insurance Commission)