



BANGKO SENTRAL NG PILIPINAS

OFFICE OF THE DEPUTY GOVERNOR
SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2011- 053

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

**Subject : Circular Letter – Anti-Money Laundering Council (AMLC) Resolution
No. 69-A dated 30 June 2011**

Pursuant to Anti-Money Laundering Council (AMLC) Resolution No. 69-A dated 30 June 2011 (copy attached), you are hereby informed that on 10 May 2011, the United Nations (UN) Security Council Al-Qaida and Taliban Sanctions (SCAQTS) Committee approved the addition of **BADRUDDIN HAQQANI** to 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.

Under the same resolution, all covered institutions are likewise directed to submit to the AMLC reports on suspicious transactions, if any, involving **BADRUDDIN HAQQANI**, 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

29 July 2011

Att: A/S



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 69 -A Series of 2011

In its Memorandum dated 7 June 2011, the AMLC Secretariat (AMLCS) reported to the Council that:

On 10 May 2011, the United Nations Security Council Al-Qaida and Taliban Sanctions Committee approved the addition of an individual to its 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 individual added in the list are as follows:

A. Individuals associated with the Taliban

Name	: BADRUDDIN 2: HAQQANI 3: na 4: na
Name (original script)	: بدرالدین حقانی
Title	: na
Designation	: na
DOB	: Approximately 1975-1979
POB	: na
Good quality a.k.a.	: na
Low quality a.k.a.	: Atiqullah
Nationality	: na
Passport no.	: na
National identification no.	: na
Address	: Miram Shah, Pakistan Listed on: 11 May 2011
Other information	: Operational commander of the Haqqani Network and member of the Taliban shura in Miram Shah. Has helped lead attacks

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).

against targets in southeastern Afghanistan. Son of Jalaluddin Haqqani (TI.H.40.01.). Brother of Sirajuddin Jallaloudine Haqqani (TI.H.144.07.) and Nasiruddin Haqqani (TI.H.146.10.). Nephew of Khalil Ahmed Haqqani (TI.H.150.11.).

The inclusion of BADRUDDIN HAQQANI in the Consolidated List validates his being associated with the Taliban, a known terrorist group.

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 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 BADRUDDIN HAQQANI, 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.

30 June 2011, Manila, Philippines.


AMANDO M. TETANGCO, JR.
Chairman

(Governor, Bangko Sentral ng Pilipinas)


TERESITA J. HERBOSA
Member

(Chairperson, Securities and Exchange Commission)


for: EMMANUEL F. DOOC
Member

(Commissioner, Insurance Commission)