



BANGKO SENTRAL NG PILIPINAS

OFFICE OF THE DEPUTY GOVERNOR
SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2011-081

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

Subject : **Anti-Money Laundering Council (AMLC) Resolution No. 103 dated 16 September 2011**

Pursuant to Anti-Money Laundering Council Resolution No. 103 dated 16 September 2011 (copy attached), you are hereby informed that on 28 July 2011, the United Nations Security Council Committee approved the addition of **(1) EMARAT KAVKAZ and (2) TEHRIK-E TALIBAN PAKISTAN (TTP)** to its Al-Qaida Sanctions List of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1 of UN Security Council Resolution 1989 (2011) 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 **(1) EMARAT KAVKAZ and (2) TEHRIK-E TALIBAN PAKISTAN (TTP)**, including all transactions that occurred within the past five (5) years counting from date of receipt of the Resolution.

For your guidance and strict implementation.


NESTOR A. ESPENILLA, JR.
Deputy Governor

12 October 2011

Att.: A/S



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 103 Series of 2011

In the Memorandum dated 02 September 2011, the Anti-Money Laundering Council Secretariat (AMLCSS) reported to the Council that:

On 28 July 2011, the United Nations Security Council Committee ("Committee"), pursuant to Resolutions 1267 (1999) and 1989 (2011), approved the addition of two entries specified below to its Al-Qaida Sanctions List of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1 of UN Security Council Resolution 1989 (2011) adopted under Chapter VII of the Charter of the United Nations:

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

Name: EMARAT KAVKAZ

Name (original script): Эмират Кавказ

Listed on: 29 July 2011

Other information: Mainly active in the Russian Federation, Afghanistan and Pakistan. Led by Doku Khamatovich Umarov (QI.U.290.11.)

Name: TEHRIK-E TALIBAN PAKISTAN (TTP)

Name (original script): تحریک طالبان پاکستان

A.k.a.: a) Tehrik-I-Taliban Pakistan b) Tehrik-e-Taliban c) Pakistani Taliban d) Tehreek-e-Taliban

Listed on: 29 Jul. 2011

Other information: Tehrik-e Taliban is based in the tribal areas along the Afghanistan/Pakistan border. Formed in 2007, its leader is Hakimullah Mehsud (QI.M.286.10.). Wali Ur Rehman (QI.U.287.10.) is the Emir of TTP for South Waziristan.

Pursuant to the Committee's decision on 28 July 2011 to add the name of Tehrik-e Taliban Pakistan (TTP) to the Al-Qaida Sanctions List, certain amendments in the two entries below have been made to the list of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1 of UN Security Council Resolution 1989 (2011) adopted under Chapter VII of the Charter of the United Nations.

A. Individuals associated with Al-Qaida

Name: 1: HAKIMULLAH 2: MEHSUD 3: na 4: na

Name (original script): حکیم اللہ محسود

Date Of Birth: Approximately 1979

Place Of Birth: Pakistan

Good quality a.k.a.: Hakeemullah Mehsud

Low quality a.k.a.: Zulfiqar

Nationality: Pakistani

Listed on: 21 Oct. 2010 (amended on 29 Jul. 2011)

Other information: Reportedly born in South Waziristan, Pakistan, and believed to be residing in Pakistan. Leader of Tehrik-e Taliban Pakistan (TTP) (QE.T.132.11.), an organization based in the tribal areas along the Afghanistan/Pakistan border.

Name: 1: WALI 2: UR REHMAN 3: na 4: na

Name (original script): ولی الرحمن

Date Of Birth: Approximately 1970

Place Of Birth: Pakistan

Nationality: Pakistani

Listed on: 21 Oct. 2010 (amended on 29 Jul. 2011)

Other information: Reportedly born in South Waziristan, Pakistan, and believed to be residing in Pakistan. Emir of Tehrik-e Taliban Pakistan (TTP) (QE.T.132.11.) for South Waziristan Agency, Federally Administered Tribal Areas, Pakistan.

HAKIMULLAH MEHSUD and WALI UR REHMAN were the subjects of AMLC Resolution No. 109 dated 17 November 2010 directing the covered institutions to submit directly to the Council reports on suspicious transactions, if any, of the said individuals, including all transactions that occurred within the past five (5) years counting from the date of receipt of the Resolution and authorizing the AMLCS to file, through the Office of the Solicitor General (OSG), a petition to freeze the bank accounts/s and other assets, if any, of HAKIMULLAH MEHSUD and WALI UR REHMAN.

The inclusion of EMARAT KAVKAZ, TEHRIK-E TALIBAN PAKISTAN (TTP) to the Al-Qaida Sanction List 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,

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, provides:

"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.

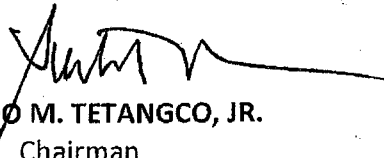
The Council resolved to:

- (i) Direct all covered institutions to submit to the Anti-Money Laundering Council reports on suspicious transactions, if any, involving EMARAT KAVKAZ and

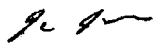
TEHRIK-E TALIBAN PAKISTAN (TTP) including all transactions that occurred within the past five (5) years, counting from the date of receipt of this Resolution;

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

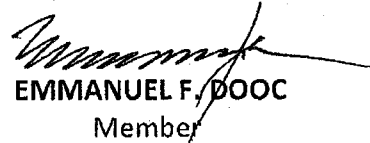
16 September 2011, Manila, Philippines.



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



TERESITA J. HERBOSA
Member
(Chairperson, Securities and Exchange Commission)



EMMANUEL F. DOOC
Member
(Commissioner, Insurance Commission)