



Bangko Sentral ng Pilipinas

OFFICE OF THE DEPUTY GOVERNOR SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2010- 036

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

Subject : Anti-Money Laundering Council (AMLC)
Resolution No. 43 dated 09 June 2010

Pursuant to Anti-Money Laundering Council Resolution No. 43 dated 09 June 2010 (copy attached), you are hereby informed that on 18 May 2010, the Chairman of the Security Council Committee conveyed to the Permanent Representative of the Philippines to the United Nations (UN) that the UN Security Council Al-Qaida and Taliban Sanctions (SCAQTS) Committee approved on 25 March 2010 the addition of (1) **GLOBAL RELIEF FOUNDATION (GRF)**, (2) **SHAMS UR-RAHMAN SHER ALAM**, (3) **NOORUDDIN TURABI MUHAMMAD QASIM**, (4) **AHMADULLAH**, (5) **KHAIRULLAH KHAIRKHWAH**, (6) **ABDUL MANAN NYAZI**, (7) **AHMAD JAN AKHUNDZADA SHUKOOR AKHUNDZADA**, and (8) **HASSAN ABDULLAH HERSI AL-TURKI** 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 1904 (2009) adopted under Chapter VII of the Charter of 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 (1) **GLOBAL RELIEF FOUNDATION (GRF)**, (2) **SHAMS UR-RAHMAN SHER ALAM**, (3) **NOORUDDIN TURABI MUHAMMAD QASIM**, (4) **AHMADULLAH**, (5) **KHAIRULLAH KHAIRKHWAH**, (6) **ABDUL MANAN NYAZI**, (7) **AHMAD JAN AKHUNDZADA SHUKOOR AKHUNDZADA**, and (8) **HASSAN ABDULLAH HERSI AL-TURKI**.

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 (RIRR), you are hereby directed to submit directly to the AMLC reports of covered and suspicious transactions, if any, involving the above-named individuals and entity.

For your guidance and strict implementation.


NESTOR A. ESPENILLA, JR.
Deputy Governor

10 June 2010

PANANALAPING MATATAG, BANSANG PANATAG



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 43 Series of 2010

In its Memorandum dated 18 May 2010, the AMLC Secretariat (AMLCS) reported to the Council that:

On 25 March 2010, the United Nations Security Council Al-Qaida and Taliban Sanctions Committee approved the amendments¹ of its Consolidated List ("Consolidated List") of individuals and entities subject to the asset freeze, travel ban and arms embargo set out in paragraph 1² of Security Council Resolution 1904 (2009) adopted under Chapter VII of the Charter of the United Nations. The details of the amendments are as follows:

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

Name	: GLOBAL RELIEF FOUNDATION (GRF).
A.k.a.	: a) Fondation Secours Mondial (FSM) b) Secours mondial de France (SEMONDE) c) Fondation Secours Mondial – Belgique a.s.b.l. d) Fondation Secours Mondial v.z.w. e) FSM f) Stichting Wereldhulp – Belgie, v.z.w. g) Fondation Secours Mondial – Kosova h) Fondation Secours Mondial "World Relief".
Address	: a) 9935 South 76th Avenue, Unit 1, Bridgeview, Illinois, 60455, United States of America b) P.O. Box 1406, Bridgeview, Illinois, 60455, United States of America c) 49 rue du Lazaret, 67100 Strasbourg, France d)

¹ Security Council SC/9894 dated 25 March 2010.

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

Vaatjesstraat, 29, 2580 Putte, Belgium
e) Rue des Bataves 69, 1040 Etterbeek, Brussels, Belgium **f)** P.O. Box 6, 1040 Etterbeek 2, Brussels, Belgium **g)** Rr. Skenderbeu 76, Lagjja Sefa, Gjakova, Kosovo **h)** Ylli Morina Road, Djakovica, Kosovo **i)** Rruga e Kavajes, Building No. 3, Apartment No. 61, P.O. Box 2892, Tirana, Albania **j)** House 267 Street No. 54, Sector F – 11/4, Islamabad, Pakistan

Listed on : 22 Oct. 2002 (amended on 26 Nov. 2004, 20 Dec. 2005, 25 Jul. 2006, 24 Mar. 2009, 11 Mar. 2010, 25 Mar. 2010)

Other information : Other Foreign Locations: Afghanistan, Azerbaijan, Bangladesh, China, Eritrea, Ethiopia, Georgia, India, Iraq, Jordan, Lebanon, West Bank and Gaza, Sierra Leone, Somalia and Syria. Federal Employer Identification Number (United States of America): 36-3804626. V.A.T. Number: BE 454,419,759. Belgian addresses incorrect: these are the addresses of Putte et Bruxelles de l'association sans but lucratif since 1998.

Similarly, on 12 April 2010, the Security Council Al-Qaida and Taliban Sanctions Committee approved further amendments³ in the "Consolidated List" to indicate the following details:

A. Individuals associated with the Taliban

Name : 1: SHAMS 2: UR-RAHMAN 3: SHER ALAM 4: na

Name (original script) : شمس الرحمن شیر الام

Designation : Deputy Minister of Agriculture of the Taliban regime

Title : a) Mullah b) Maulavi

POB: : Suroobi district, Kabul province, Afghanistan

A.k.a. : a) Shamsurrahman b) Shams-u-Rahman

Nationality : Afghan

Listed on : 23 Feb. 2001 (amended on 3 Sep. 2003, 21 Sep. 2007, 12 Apr. 2010)

³ Security Council SC/9903 dated 12 April 2010.

Other information : Believed to be in the Afghanistan/Pakistan border area. Involved in drug trafficking.

Name : 1: NOORUDDIN 2: TURABI 3: MUHAMMAD 4: QASIM

Name (original script) : نورالدين ترابی

Title : a) Mullah b) Maulavi

Designation : Minister of Justice of the Taliban regime

DOB : Approximately 1963

POB: : a) Kandahar, Afghanistan b) Chora district, Uruzgan province, Afghanistan

A.k.a. : Noor ud Din Turabi

Nationality : Afghan

Listed on : 25 Jan. 2001 (amended on 3 Sep. 2003, 21 Sep. 2007, 12 Apr. 2010)

Other information : Apprehended in Sep. 2006.

Name : 1: AHMADULLAH 2: na 3: na 4: na

Name (original script) : احمد الله

Designation : Minister of Security (Intelligence) of the Taliban regime

Title : Qari

DOB : Approximately 1975

POB : Qarabagh district, Ghazni province, Afghanistan

A.k.a. : Ahmadulla

Nationality : Afghan

Listed on : 25 Jan. 2001 (amended on 3 Sep. 2003, 18 Jul. 2007, 21 Sep. 2007, 12 Apr. 2010)

Other information : Reportedly deceased in Dec. 2001.

Name : 1: KHAIRULLAH 2: KHAIRKHWAH 3: na 4: na

Name (original script) : خير الله خيرخواه

Title : a) Maulavi b) Mullah

Designation : a) Governor of Herat Province under the Taliban regime b) spokesperson of the Taliban regime c) Governor of Kabul province under the Taliban regime d) Minister of Internal Affairs under the Taliban regime

DOB : Approximately 1963
POB: : Arghistan district, Kandahar province, Afghanistan
A.k.a. : Mullah Khairullah Khairkhwah
Nationality : Afghan
Listed on : 25 Jan. 2001 (amended on 3 Sep. 2003, 21 Sep. 2007, 3 Oct. 2008, 12 Apr. 2010)
Other information : Apprehended. In custody as at Jun. 2007.

Name : 1: ABDUL MANAN 2: NYAZI 3: na 4: na
Name (original script) : عبدالمنان نیازی
Title : Mullah
Designation : Governor of Kabul Province under the Taliban regime
DOB : Approximately 1968
POB: : Pashtoon Zarghoon district, Herat province, Afghanistan
A.k.a. : **a)** Abdul Manan Nayazi **b)** Abdul Manan Niazi **c)** Baryaly **d)** Baryalai
Nationality : Afghan
Listed on : 25 Jan. 2001 (amended on 3 Sep. 2003, 18 Jul. 2007, 21 Sep. 2007, 12 Apr. 2010)
Other information : Taliban member responsible for Herat province. Believed to be in the Afghanistan/Pakistan border area.

Name : 1: AHMAD JAN 2: AKHUNDZADA 3: SHUKOOR4: AKHUNDZADA
Name (original script) : احمد جان آخوندزاده
Title : **a)** Maulavi **b)** Mullah
Designation : Governor of Zabol Province under the Taliban regime
POB: : Uruzgan province, Afghanistan
A.k.a. : **a)** Ahmad Jan Akhonzada **b)** Ahmad Jan Akhund Zada
Nationality : Afghan
Address : na
Listed on : 25 Jan. 2001 (amended on 3 Sep. 2003, 21 Sep. 2007, 12 Apr. 2010)
Other information : Taliban member in charge of Uruzgan province, Afghanistan, as at early 2007. Arrested in Apr. 2007.

C. Individuals associated with Al-Qaida

Name : 1: HASSAN 2: ABDULLAH 3: HERSI 4: AL-TURKI
Name (original script) : حسن عبد الله حرسى التركي
Title : a) Sheikh b) Colonel
DOB : Approximately 1944
POB: : Region V, Ethiopia, (the Ogaden Region in eastern Ethiopia)
A.k.a. : a) Hassan Turki b) Hassen Abdelle Fihaye c) Sheikh Hassan Abdullah Fahaih
Nationality : Somali
Address : Reported to be active in Southern Somalia, lower Juba near Kismayo, mainly in Jiliba and Burgabo as of November 2007
Listed on : 6 Jul. 2004 (amended on 25 Jul. 2006, 21 Dec. 2007, 12 Apr. 2010)
Other information : Family Background: From the Ogaden clan, Reer - Abdille subclan. Part of the Al-Itihaad Al-Islamiya (AIAI) QE.A.2.01.) leadership. Believed to have been involved in the attacks on the United States embassies in Nairobi and Dar es Salaam in August 1998.

HASSAN ABDULLAH HERSI AL-TURKI was the subject of AMLC Resolution No. 382 dated 28 June 2004 directing the covered institutions to submit directly to the Council reports of covered or suspicious transactions, if any, on the subject. The other individuals and entity are not included in the previous resolutions issued by the AMLC.

The inclusion of GLOBAL RELIEF FOUNDATION (GRF), SHAMS UR-RAHMAN SHER ALAM, NOORUDDIN TURABI MUHAMMAD QASIM, AHMADULLAH, KHAIRULLAH KHAIRKHWAH, ABDUL MANAN NYAZI, AHMAD JAN AKHUNDZADA SHUKOOR AKHUNDZADA, and HASSAN ABDULLAH HERSI AL-TURKI in the list of the UN Security Council validates their being associated with terrorists.

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."

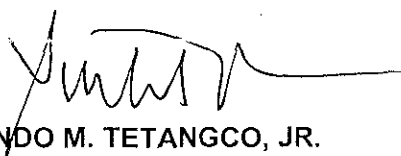
As a charter member of the United Nations and as part of the international coalition against terrorism, the Philippines, through the Anti-Money Laundering Council, must actively support the actions required under the subject UNSC Resolutions.

The Council resolved to:

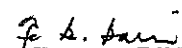
(1) Direct all covered institutions to submit to the Anti-Money Laundering Council reports of covered or suspicious transactions, if any, involving GLOBAL RELIEF FOUNDATION (GRF), SHAMS UR-RAHMAN SHER ALAM, NOORUDDIN TURABI MUHAMMAD QASIM, AHMADULLAH, KHAIRULLAH KHAIRKHAH, ABDUL MANAN NYAZI, AHMAD JAN AKHUNDZADA SHUKOOR AKHUNDZADA, and HASSAN ABDULLAH HERSI AL-TURKI; and

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

09 June 2010, Manila, Philippines.



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


FE B. BARIN
Member

(Chairman, Securities and Exchange Commission)


SANTIAGO JAVIER RANADA
Member

(Commissioner, Insurance Commission)