



Bangko Sentral ng Pilipinas

OFFICE OF THE DEPUTY GOVERNOR SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2010- 038

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

Subject : Anti-Money Laundering Council (AMLC)
Resolution No. 47 dated 09 June 2010

Pursuant to Anti-Money Laundering Council Resolution No. 47 dated 09 June 2010 (copy attached), you are hereby informed that on 12 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 12 April 2010 the addition of (1) **AL-SHABAAB**, (2) **YASIN ALI BAYNAH**, (3) **HASSAN DAHIR AWEYS**, (4) **HASSAN ABDULLAH HERSI AL-TURKI**, (5) **AHMED ABDI aw-MOHAMED**, (6) **FUAD MOHAMED KHALAF**, (7) **BASHIR MOHAMED MAHAMOUD**, (8) **MOHAMED SA'ID**, and (9) **FARES MOHAMMED MANA'A** 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) **AL-SHABAAB**, (2) **YASIN ALI BAYNAH**, (3) **HASSAN DAHIR AWEYS**, (4) **HASSAN ABDULLAH HERSI AL-TURKI**, (5) **AHMED ABDI aw-MOHAMED**, (6) **FUAD MOHAMED KHALAF**, (7) **BASHIR MOHAMED MAHAMOUD**, (8) **MOHAMED SA'ID**, and (9) **FARES MOHAMMED MANA'A**.

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

18 June 2010

Att: A/S

PANANALAPING MATATAG, BANSANG PANATAG



Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 47 Series of 2010

In its Memorandum dated 12 May 2010, the AMLC Secretariat reported to the Council that:

On 12 April 2010, the Security Council Committee pursuant to Resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea listed the following individuals and entity as engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 18 August 2008 or the political process, or threaten the Transitional Federal Institutions of Somalia or the African Union Mission in Somalia by force or obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia, pursuant to paragraph 8 of Resolution 1844 (2008):

- (1) **AL-SHABAAB**, aka: AL-SHABAB; SHABAAB; THE YOUTH; MUJAHIDIN AL-SHABAAB MOVEMENT; MUJAHIDEEN YOUTH MOVEMENT; MUJAHIDIN YOUTH MOVEMENT; MYM; HAKKAT SHABAB AL-MUJAHIDIN; HIZBUL SHABAAB; HISB'UL SHABAAB; AL-SHABAAB AL-ISLAMIYA; YOUTH WING; AL-SHABAAB AL-ISLAAM; AL-SHABAAB AL-JIHAAD; THE UNITY OF ISLAMIC YOUTH; HAKKAT AL-SHABAAB AL-MUJAAHIDIIN; HAKKATUL SHABAAB AL MUJAAHIDIIN; MUJAAHIDIIN YOUTH MOVEMENT;

Location: Somalia

- (2) **Yasin Ali Baynah**, aka: ALI, Yasin Baynah; ALI, Yassin Mohamed; BAYNAH, Yasin; BAYNAH, Yassin; BAYNAX, Yasiin Cali; BEENAH, Yasin; BEENAH, Yassin; BEENAX, Yasin; BEENAX, Yassin; BENAHA, Yasin; BENAHA, Yassin; BENAX, Yassin; BEYNAH, Yasin; BINAHA, Yassin; CALI, Yasiin Baynax;

Location: Rinkeby, Stockholm, Sweden; Mogadishu, Somalia

DOB: circa 1966

Nationality: Somalia

Alt. Nationality: Sweden

- (3) **Hassan Dahir Aweys**, aka: ALI, Sheikh Hassan Dahir Aweys; AWES, Hassan Dahir; AWES, Shaykh Hassan Dahir; AWEYES, Hassen Dahir; AWEYS, Ahmed Dahir; AWEYS, Sheikh; AWEYS, Sheikh Hassan Dahir; DAHIR, Aweys Hassan; IBRAHIM, Mohammed Hassan; O AIS, Hassan Tahir; UWAYS, Hassan Tahir; HASSAN, Sheikh;

Location: Somalia; Eritrea

DOB: 1935

Citizen: Somalia

Nationality: Somalia

- (4) **Hassan Abdullah Hersi Al-Turki**, aka: AL-TURKI, Hassan; TURKI, Hassan; TURKI, Hassan Abdillahi Hersi; TURKI, Sheikh Hassan; XIRSI, Xasan Cabdilaahi; XIRSI, Xasan Cabdulle;

Location: Somalia

DOB: circa 1944

POB: Ogaden Region, Ethiopia

Nationality: Somalia

- (5) **Ahmed Abdi aw-Mohamed**, aka: ABU ZUBEYR, Muktar Abdirahman; ABUZUBAIR, Muktar Abdulrahim; AW MOHAMMED, Ahmed Abdi; AW-MOHAMUD, Ahmed Abdi; GODANE; GODANI; MUKHTAR, Shaykh; ZUBEYR, Abu;

DOB: 10 Jul 1977

POB: Hargeysa, Somalia

Nationality: Somalia

- (6) **Fuad Mohamed Khalaf**, aka: Fuad Mohamed Khalif; Fuad Mohamed Qalaf; Fuad Mohammed Kalaf; Fuad Mohamed Kalaf; Fuad Mohammed Khalif; Fuad Khalaf; Fuad Shongale; Fuad Shongole; Fuad Shangole; Fuad Songale; Fouad Shongale; Fuad Muhammad Khalaf Shongole;

Nationality: Somali

Alt. Nationality: Swedish

Location: Mogadishu, Somalia

Alt. Location: Somalia

- (7) **Bashir Mohamed Mahamoud**, aka: Bashir Mohamed Mahmoud; Bashir Mahmud Mohammed; Bashir Mohamed Mohamud; Bashir Mohamed Mohamoud; Bashir Yare; Bashir Qorgab; Gure Gap; Abu Muscab; Qorgab;

DOB: Circa 1979-1982
Alt.DOB: 1982
Nationality: Somali
Location: Mogadishu, Somalia

- (8) **Mohamed Sa'id**, aka: Atom; Mohamed Sa'id Atom; Mohamed Siad Atom;

DOB: Circa 1979-1982
Alt.DOB: 1982
Nationality: Somali
Location: Mogadishu, Somalia

- (9) **Fares Mohammed Mana'a**, aka: Faris Mana'a; Fares Mohammed Mana'a;

DOB: February 8, 1965
POB: Sada, Yemen
Passport No.: 00514146; Place of Issue: Sanaa, Yemen
ID Card No.: 1417576; Place of Issue: Al-Amana, Yemen; Date of Issue: January 7, 1996.

In the letter dated 27 April 2010 of Mr. Timothy Neely, Deputy Economic Counselor, Embassy of the United States of America, the Government of the United States of America requested the Anti-Money Laundering Council to designate and freeze the assets of the eight (8) individuals and one (1) entity listed above pursuant to paragraph 8 of Resolution 1844 (2008).

The United Nations Security Council Resolution (UNSCR) 1844, adopted on 20 November 2008, provides that:

The Security Council,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated by the Committee pursuant to paragraph 8 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

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3. Decides that all Member States shall freeze without delay the funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities designated by the Committee pursuant to

paragraph 8 below, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee, and decides further that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of such individuals or entities;

X X X

7. Decides that all Member States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer of weapons and military equipment and the direct or indirect supply of technical assistance or training, financial and other assistance including investment, brokering or other financial services, related to military activities or to the supply, sale, transfer, manufacture, maintenance or use of weapons and military equipment, to the individuals or entities designated by the Committee pursuant to paragraph 8 below;

8. Decides that the provisions of paragraphs 1, 3 and 7 above shall apply to individuals, and that the provisions of 3 and 7 above shall apply to entities, designated by the Committee;

(a) as engaging in or providing support for acts that threaten the peace, security or stability of Somalia, including acts that threaten the Djibouti Agreement of 18 August 2008 or the political process, or threaten the TFIs or AMISOM by force;

(b) as having acted in violation of the general and complete arms embargo reaffirmed in paragraph 6 above;

(c) as obstructing the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia;

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;

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Moreover, the Revised Implementing Rules and Regulations of the Anti-Money Laundering Act of 2001, as amended, provide:

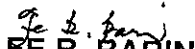
Rule 13.7.2. Authority to Assist the United Nations and other International Organizations and Foreign States. – The AMLC is authorized under Section 7 (8) and 13 (b) and (d) of the AMLA to receive and take action in respect of any request of foreign states for assistance in their own anti-money laundering 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.

The Council resolved to direct all covered institutions to submit reports of covered or suspicious transactions, if any, involving **AL-SHABAAB, Yasin Ali Baynah, Hassan Dahir Aweys, Hassan Abdullah Hersi Al-Turki, Ahmed Abdi aw-Mohamed, Fuad Mohamed Khalaf, Bashir Mohamed Mahamoud, Mohamed Sa'id and Fares Mohammed Mana'a** and to request the Supervising Authorities to disseminate copies of this Resolution to all covered institutions under their respective regulatory authorities.

09 June 2010, Manila, Philippines.



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



FE B. BARIN
Member

(Chairperson, Securities and Exchange Commission)



SANTIAGO JAVIER RANADA
Member

(Commissioner, Insurance Commission)