



Decision No. (1) of 2020

On Regulating the Mechanisms of the Implementation of the Targeted Financial Sanctions Related to Preventing the Financing of Terrorism and Preventing the Financing of Proliferation of Weapons of Mass Destruction in accordance with the Anti-Money Laundering and Terrorism Financing and Anti-Terrorism Laws, and Pursuant to the United Nations Security Council Decisions

The Attorney General:

After having perused the Constitution,

The Charter of the United Nations,

Law of Civil and Commercial Procedures, promulgated by Law No. (13) of 1990, and its amending laws,

Law No. 10 of 2002 regarding the Public Prosecution, and its amending laws,





Law of the Judicial Authority, promulgated by Law No. (10) of 2003, and its amending laws,

Penal Code, promulgated by Law No. (11) of 2004, and its amending laws,

Criminal Procedure Code, promulgated by Law No. (23) of 2004, and its amending laws,

Anti-Money Laundering and Terrorism Financing Law, promulgated by Law No. (20) of 2019, and

Anti-Terrorism Law, promulgated by Law No. (27) of 2019,

Has decided the following:





Part One

General Provisions

Article (1)

This Decision aims to specify procedures for application of Articles from (30) to (42) of the Anti-Terrorism Law promulgated by Law No. (27) of 2019, related to procedures for implementing the decisions of the competent United Nations committees related to preventing terrorism financing and preventing the financing of the proliferation of weapons of mass destruction.

Article 2

In applying the provisions of this Decision, the relevant definitions provided for in Article (1) of the Anti-Terrorism Law promulgated by Law No. (27) of 2019 shall be adopted, and the following words and phrases shall have the meanings respectively assigned to each of them unless the context requires otherwise:

1- The Law: : The Anti-Terrorism Law promulgated by Law No. (27) of 2019.





2- The Sanctions List : A list established by a decision of the Attorney General, and maintained by the Committee. It shall include the following:

- Natural persons and entities listed on the Security Council List.
- Natural persons and entities listed under the decisions of the Attorney General upon proposal of the Committee.

3- The Security Council List : The United Nations Security Council Consolidated Sanctions List: It is a list issued and maintained by the Specialized United Nations Agency, which includes all individuals and entities subject to specific financial sanctions in accordance with Security Council Decisions, and it may also include individuals, entities and other groups subject to specific financial sanctions for the reason of their funding for the proliferation of weapons of mass destruction pursuant to the Security Council Decisions and all their identifying information.

4- The Specialized United Nations Agency : The Sanctions Committee referred to in Article (1) of the Law, which is “the Sanctions Committee of the Security Council which was established by Decisions No. (1267) of 1999 and (1874) of 2011 and (2231) of 2015 and the Committee established by the Decision of the Security Council No.(1888) of 2011 and the





Committee established by the Security Council Decision No. (1718) of 2006 and the Security Council itself when it operates in accordance with Chapter Seven of the Charter of the United Nations.

5- The Committee : The National Counter-Terrorism Committee which was established in accordance with Article (28) of the Anti-Terrorism Law promulgated by Law No. (27) of 2019.

6- The Statement of Status : A statement prepared by the Committee which includes the basis for listing and the utmost possible amount of details which led to applying Targeted Financial Sanctions to any natural person or entity, and which support the decision concerning the person or entity meeting the Listing Criteria associated therewith, and the nature of the information or supporting documents that may be submitted, and any details about any connection between the person proposed to be listed and any person or other entity listed at the present time as mentioned in the listing decision taken by the Specialized United Nations Agency and its annexes or in the decision of the Attorney General. The statement of status must be subject to disclosure upon request unless the Committee decides the confidentiality of some of its parts.

7- The Coordination Centre : A body established pursuant to the Security Council Decision No. (1730) of 2006 to





receive and consider the requests of delisting of the names of persons listed on the United Nations list, provided that the Committee of Sanctions imposed on ISIS and Al Qaeda is not the one which listed them.

8- The Office of the Ombudsperson

: The body established pursuant to the Security Council Decision No. (1904) of 2009 to receive and consider the requests of delisting the names of persons listed by the Committee of Sanctions imposed on ISIS and Al Qaeda.

9- Economic Resources

: Assets of any kind, concrete or non-concrete, tangible or intangible, movable or immovable, which can be used to obtain funds, goods, or services such as land, buildings, and other real estate and equipment, including hardware, software, tools, machinery, furniture, fixtures, fittings, ships, aircraft, vehicles, goods, artworks, cultural property, artifacts, wildlife, jewelry, gold, gemstones, charcoal, petroleum products, refineries, and related materials including chemicals, lubricants materials, metals, timber or other natural resources, goods, weapons and related materials, raw materials, components that can be used in the manufacture of explosive devices or unconventional weapons, any type of crime proceeds including agriculture, production, and illegal trafficking in drugs or their derivatives, patents, trademarks, copyrights, and other forms Intellectual property, web hosting services, publishing on the





international information network, or related networks, and the assets made available for the use or on behalf of the listed persons whether direct or indirect, including to finance their travel, transportation, or residence, as well as any assets paid to them as a ransom, or any other assets.

- 10- Basic Expenses** : Payments designated for some charges, expenses, and services fees such as food, rent, payment of mortgages, medicines, medical treatment, taxes, insurance premiums, and public utility fees, or that are paid for reasonable professional fees, and payment of expenses incurred in exchange for providing legal services and charges or fees for services related to regular conservation and maintenance of funds and frozen economic resources.
- 11- Extraordinary Expenses** : Any other financial amounts other than those included in the basic expenses. The Attorney General, in coordination with the Committee, shall estimate its necessity for those who are included in the freeze decision.
- 12- Listing Officer** : A person who is delegated by the Attorney General from among members of the Public Prosecution, of the rank of a Public lawyer at least, to issue listing decisions on the Sanctions List, amend them and extend their duration, and issue decisions related to basic and extraordinary expenses.





**13- The Parties
Concerned
With the
Implementation**

: For the purposes of the implementation of this Decision, the term "Parties Concerned with the Implementation" includes regulatory, security and administrative authorities, supervisory bodies, designated financial institutions and non-financial businesses and professions, non-profit organizations and every responsible person or entity existing in the territory of the State.

**14- The Financial
Information Unit**

: The Financial Information Unit stipulated in Article (31) of the Anti-Money Laundering and Terrorism Financing Law promulgated by Law No. (20) of 2019.

**15- Regulatory
Authorities:**

**Regulatory
Authority**

Sector

1- The Bank

- Banks and exchange agencies.
- Money or value transfer service providers.
- Insurance and reinsurance.
- Financing and investment companies.





- 2- Qatar Financial Markets Authority
- Financial Brokerage Companies.
 - Qatar Stock Exchange.
 - Qatar Central Securities Depository.
- 3- Ministry of Justice
- Lawyers.
 - Delegated Notaries.
 - Real estate brokers.
- 4- Ministry of Trade and Industry
- Precious Metals and Gemstones Traders.
 - Trust Funds Services Providers and Companies.
 - Chartered Accountants.
- 5- Qatar Financial Centre Regulatory Authority
- The Designated Financial Institutions and Non-Financial Businesses and Professions established at the Centre.
- 6- Regulatory Authority for
- Non-profit Organizations.





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And any other entity legally authorized to regulate, supervise or control the designated financial institutions and non-financial businesses and professions, or non-profit organizations.





Part Two

Listing on the Sanctions List

Chapter One

Mechanisms of Listing

Section One

Listing Criteria

Article (3)

The Attorney General shall issue a decision to list any person or entity on the Sanctions List in the following cases:

- A. If the natural person or entity is listed on the Security Council List.
- B. Any natural person or entity that makes the Attorney General, upon proposal of the Committee and based on reasonable grounds or rational bases, suspect or believe that such person or entity meets any of the following criteria and conditions for a period of three years which is renewable:
 - 1- He committed or attempted to commit terrorist acts or crimes as specified in the Anti-Terrorism Law promulgated by Law No. (27)





- of 2019, or participated in or facilitated their commission, including participation in financing the planning, facilitating, preparing for or committing such acts.
- 2- Any entity owned or controlled, directly or indirectly, by any of the persons or entities specified in the preceding item.
 - 3- Any person or entity acting on behalf of the person or entity who meets the criteria 1-2 above, or at his direction.
 - 4- A member of any entity designated by the Committee in accordance with Security Council Decisions when he meets the conditions specified in items 1-3 above.
 - 5- A member of any entity who makes the Attorney General, upon proposal of the Committee, believe that such person meets the conditions specified in items 1-3 above.
 - 6- Any convicted person in the State by a final sentence, due to charges of terrorism, financing of terrorism, or financing the proliferation of weapons of mass destruction in accordance with





the applicable law, when he meets the conditions specified in items 1-3 above.

Section Two

Listing of the Natural Persons and Entities Listed on the Security

Council List on the Sanctions List

Article (4)

- A. The Ministry of Foreign Affairs shall notify the Attorney General of cases of listing on the Security Council List immediately upon its issuance and provide the Committee with a copy thereof.
- B. The Attorney General shall list on the Sanctions List the person or entity listed on the Security Council List once he is listed by the Security Council or its affiliated Sanctions Committee in accordance with Chapter Seven of the Charter of the United Nations.
- C. The Attorney General shall inform the Committee immediately upon issuance of the decision to list the person or entity on the Sanctions List.
- D. The Committee shall notify all Regulatory Authorities and any other body specified by the Committee for listing on the Sanctions List,





immediately upon receiving decision of the Attorney General regarding listing on the Sanctions List.

Section Three

Listing of Persons and Entities Pursuant to Decisions of the Attorney General, upon Proposal of the Committee, on the Sanctions List.

Article (5)

- A. The Committee may submit by itself, or upon request of the Competent Authorities, a proposal to list any person or entity on the Sanctions List and present it to the Attorney General.
- B. The Attorney General shall consider the Committee's proposal of listing on the Sanctions List, and shall decide thereon by issuing a decision of listing or rejection within (15) days from the date of receiving the proposal. The Committee shall, during this period, provide any clarifications or additional information requested by the Attorney General in relation to the proposal submitted by it. The Committee shall, immediately upon issuance of the listing decision, update the Sanctions List and notify the Parties Concerned with the Implementation thereof.





C. The Committee's listing proposal or the Attorney General's listing decision shall not necessitate the initiation of a criminal case or the existence of criminal procedures against the concerned person.

D. If the Attorney General rejects the Committee's proposal for listing, the Committee shall be notified thereof, during the same period stated in paragraph (b) of this Article, indicating the reasons for the rejection. It may re-submit the proposal after the addressing the causes of the rejection.

The Attorney General shall, upon proposal of the Committee, issue a decision to list the person or entity on the Sanctions List for a period of three years, and he may extend such period to further similar periods as long as the reasons for listing exist. The Committee shall prepare the file of the extension proposal and present it to the Attorney General before the period expires.

Article (6)

A. The Committee is solely entrusted with the submission of the proposals to the Attorney General for the purpose of issuing decisions of listing persons or entities on the Sanctions List and decisions of their extension.





B. The Committee's proposals for listing persons and entities and extending the period of their listing shall be based on rational bases condition for believing that the person or entity subject of the proposal meets the criteria for listing stipulated in Article (3) paragraph (b) of this Decision.

Article (7)

A- Requests for proposal of listing on the Sanctions List issued by the Competent Authorities in the State shall be referred to the Committee, along with the supporting information thereof.

B- The Committee shall decide on the request. If the Committee sees merit in considering the listing request, then the Secretariat of the Committee shall supervise the process of preparing the file and presenting it to the Attorney General.

C- At the time of preparing the file, the Committee may obtain information from all relevant sources, including the concerned authorities and any other bodies in the State, and whoever receives a request from the Committee shall provide it with the requested information within one week from the date of notification thereof.





Article (8)

The file of the proposal for listing presented to the Attorney General shall fulfill the following conditions:

- 1- It shall be drafted in accordance with the procedures in force according to the listing forms approved by the Committee, whether confidential or not.
- 2- It shall include the utmost possible amount of information related to the person or entity proposed to be listed, especially sufficient identifying information that allows accurate and positive identification of natural persons and entities, including the name, nickname, other names that he is being called with, his surname, date and place of birth, nationality, occupation, place of residence and work, passport number, identity card number, current and previous address, criminal record, name of the legal person or entity, its headquarters, offices and names of its branches, type of activity, commercial registration references, the value of its capital, shareholders record, as well as the information stipulated in Article





- (16) of this Decision, and other data that should be included in the Statement of Status.
- 3- Information about the funds and economic resources of the person or entity proposed for listing, shall be provided.
- 4- Information about any connections between the person or entity proposed for listing and the previously listed persons or entities, shall be provided.
- 5- Stating whether there are reasonable grounds to also propose the listing to the Sanctions Committee under the United Nations, which was established by Security Council Decision No. (1267) or (1988).

Section Four

Data of the Decision of Listing and

Notification of Listing

Article (9)

If the listing relates to the persons and entities listed on the Security Council List, then the data of the decision of listing on the Sanctions List shall include any information provided by the Sanctions Committee pertaining to





recognizing of the identity, and any additional information deemed by the listing officer as necessary.

Article (10)

A- If the listing relates to the persons or entities listed pursuant to the decisions of the Attorney General based on the Committee's proposal, the decision of listing on the Sanctions List shall include the following data:

- 1- All the information stipulated in Article (8).
- 2- Explicit statement on the obligation of the Parties Concerned with the Implementation to comply with the implications of the listing stipulated in Article (38) of the Anti-Terrorism Law promulgated by Law No. (27) of 2019 regarding the listed persons.
- 3- The decision of listing may include a text permitting the entry of persons from among the presidents, leaders, members or employees of any listed entity, group, organization or establishment to the territory of the State, or transiting through it, based on coordination with the Committee.





B- The Attorney General may amend the decision of listing, based on proposal of the Committee, in a manner that ensures the effectiveness of arranging its legal implications, as set out in Article (38) of the Anti-Terrorism Law promulgated by Law No. (27) of 2019.

Article (11)

A- The Committee shall, in coordination with the Regulatory Authorities, notify the designated financial institutions and non-financial businesses and professions, and non-profit organizations, of the decision of listing issued by the Attorney General regarding the listing on the Sanctions List, immediately upon its issuance.

B- The designated financial institutions and non-financial businesses and professions, and non-profit organizations shall provide the Regulatory Authority to which they are subordinated, with their own email addresses for the purpose of receiving notification of listing through it.

C- The Attorney General shall notify the listed person or entity with the decision of listing, its reasons and guarantees for the listed person or entity, including the right to request the delisting and request for partial removal from the freeze to pay some basic or extraordinary expenses,





and the concerned grievance authority and the approved procedures thereof, within one working day from the date of issuance of the decision, and when necessary in the nearest term, not exceeding 5 working days, taking into account the obligations of the Parties Concerned with the Implementation resulting from the listing.

D- The person listed on the Sanctions List pursuant to the decision of the Attorney General issued upon proposal of the Committee in accordance with the provisions of Article (3) paragraph "B" of this Decision, may obtain from the Attorney General the non-confidential copy of the "Statement of Status" that includes information regarding the basis of listing and its causes.

Section Five

Sanctions List Database Management

Article (12)

A- The Committee shall publish on its website on the International Information Network the name of the person or entity listed on the





Sanctions List, as soon as it is notified of the issuance of the decision of listing.

B- The Committee shall create an electronic database, in which it maintains the data of persons and entities listed on the Sanctions List and updates them on a continuous basis, and it shall include therein all information related to them. The Committee shall provide a feature on its official website on the International Information Network which enables the search in its database to identify the name or title of the listed person or entity, the date and type of listing, the decisions of cancellation of the listing, and a soft copy of the decision of listing issued in the State. In case the listing is by a decision of the United Nations, the Committee shall provide the decision of listing issued by the Specialized United Nations Agency and the available information associated therewith, except for the confidential data.





Section Six

Procedures for Proposal to List on the Security Council List or Lists of Foreign Countries

Article (13)

A- If there are reasonable grounds and rational bases that lead to believe that the person or entity listed on the Sanctions List meets the criteria for listing on the Security Council List or there is a need to list the person or entity mentioned in the list of one or more foreign countries, the Committee in coordination with the Attorney General and the Ministry of Foreign Affairs shall submit the requests to the Security Council or to the concerned foreign countries to list the persons or entities on their terrorist lists.

B- The listing proposal shall not necessitate initiation of criminal case or the existence of criminal procedures against the concerned person.

C- The Attorney General shall represent the State in providing responses to requests for information received from the Specialized United Nations Agency or the foreign country to which the request for listing has been





submitted, in cooperation with the Committee and in coordination with the Ministry of Foreign Affairs.

Article (14)

To submit a proposal to list on the Security Council List, it is required to ensure the following:

A- With respect to the listing on the Security Council List related to the two Decisions No. (1267) and (1989)

The availability of reasonable grounds or rational bases for suspecting or believing that the person or entity has done any of the following:

- 1- Participating in financing actions or activities carried out by Al Qaeda, ISIS, or any cell or group connected to them, divided or splintered from them, or done in conjunction with any of them or in their name or on their behalf, or in support of them, or planning these actions or activities or facilitating their carrying out, preparing or committing them.
- 2- Providing, selling or transporting weapons and related materiel to any of these persons.





3- Recruiting for any of these persons or supporting their actions or activities in any other form.

B- With respect to the listing on the Security Council List related to Decision No. (1988):

The availability of reasonable grounds or rational bases for suspecting or believing that the person or entity has acted in favour of those listed on the List and other individuals, groups, institutions and entities that engage with the Taliban Movement in threatening peace, stability and security in Afghanistan (i.e. any of the following:

- 1- Participating in financing their actions or activities, planning them, facilitating their carrying out, preparing them, or committing them, by participating with them, in their names, on their behalf, or supporting them.
- 2- Providing weapons and related equipment, selling them, or transporting them to them.
- 3- Recruiting for them, or providing any other form of support for their actions.





C- The proposal for listing shall also fulfill the following conditions:

- 1- Abiding by the applicable procedures and submitting the proposal in accordance with the standard forms for listing approved by the Competent Committee.
- 2- The proposal shall include the data prescribed in Article (8).

The Attorney General may, when proposing listing on Security Council List 1267, request non-disclosure of the name of the State publicly as it is the country proposing the listing.

Article (15)

The proposal to list on the Security Council List, or a foreign country list, shall fulfill the following conditions:

- A- Providing all necessary information and documents supporting the proposal.





- B- Submitting a Statement of Status, including information related to any legal procedures.
- C- Stating whether the proposed listing meets the relevant criteria.
- D- All the information referred to in Article (8) of this Decision.

Article (16)

When preparing files of the proposal to list on the Security Council List or foreign countries lists, the Committee may obtain from the competent ministries and administrative bodies in the State the information it needs, and request assistance from those ministries and bodies in obtaining information related to its foreign counterpart, to provide the following information:

A- As for natural persons:

- Family name/surname.
- Other related names and nicknames.
- Date and place of birth.
- Nationality/Citizenship.
- Gender.





- Occupation/profession.
- Residence.
- Addresses.
- Passport or travel document (including the date and place of issuance, as well as the expiration date).
- National identity numbers.
- Current and past addresses.
- Website addresses on the International Information Network.
- Current location.
- Biometric information (physical description, photographs, and fingerprints).

B- As for legal persons and entities:

- The name.
- Registered name.
- Short name or abbreviated names.





- Initials, and other names it is known or had been known with.
- Address.
- Headquarters.
- Affiliates entities/Branches.
- Organizational links.
- Parent company.
- The nature of work or commercial activity.
- The country(s) of main activity.
- Leadership/Management.
- Registration (incorporation) or other identification number.
- Legal status (for example, in case of liquidation or expired).
- Website addresses on International Information Network.
- Any organizational links with other relevant entities or legal persons.





- Capital composition (data of persons exercising control over the company).
- Management structure (including data of managers).
- Control structure (including data of persons with actual control over the entity/organization).
- Nature of the activity.
- Primary financing sources.
- The assets which are known to be owned by it.
- All the information required from the relevant Specialized United Nations Agency or the competent foreign authorities.

Section Seven

The Listing Proposal Received from a Foreign Country

Article (17)

A- The Committee shall, in coordination with the concerned authorities in the State, set the procedures that allow the countries to submit the listing





proposal to the State, and publish them on its official website on the International Information Network.

B- The Ministry of Foreign Affairs shall refer the listing proposals received from foreign countries, directly within three working days from the date of their receipt, to the National Committee, with a copy being sent to the Attorney General.

C- The Committee shall study the listing requests received from foreign countries, and prepare an integrated file on it that includes its opinion of accepting the request or not, to present it to the Attorney General within (30) days from the date of referring the request thereto.

It may, in coordination with the Ministry of Foreign Affairs, request from the country which submitted the request the information necessary to decide on the proposal. It may also request all additional supporting information in accordance with the provisions of paragraph (C) of Article (7) of this Decision, and in a manner that meets the criteria set out in Article (8) of this Decision.





- D- The Attorney General shall decide on the request subject, by acceptance or rejection, within (30) days from the date of receiving the file prepared by the Committee, and shall list name of the person or entity in the event of acceptance.
- E- The necessary and additional information to decide on the proposal shall include everything related to verifying the availability of the criteria stipulated in Articles (8) and (14) paragraph “C” of this Decision in the persons and entities subject of the request.
- F- The Attorney General, in coordination with the Committee, shall notify the Ministry of Foreign Affairs immediately upon deciding on the subject of the request; and the Committee, in turn, shall notify the competent authorities in the requesting country of the decision of the Attorney General.
- G- The Committee shall maintain a record of all the requests it receives from foreign countries for listing of persons or entities on the Sanctions List. The record shall include all the details related to such requests and the measures taken in this regard by the Committee or the Attorney General, so that it can refer to and use them at the time of implementing the





procedures relating to the investigation and collection of information in order to list any person or entity.

Chapter Two

Grievance and Delisting

Section One

Delisting the Names of Persons and Entities Listed on the Security

Council List

Article (18)

The Attorney General may, upon proposal of the Committee and in coordination with the Ministry of Foreign Affairs, submit requests to the Specialized United Nations Agency to delist Qatari persons and entities or other persons and entities existing in the territory of the State when the reasonable grounds and the rational bases, based on which they were listed, cease to exist.

Article (19)

A- The person or entity listed on the Security Council List or the Sanctions Committee List may raise grievance against listing him, by a request





submitted to the Attorney General to perform his role on behalf of the State to consider the proposal of delisting the name of the concerned person from the mentioned list to the Specialized United Nations Agency, based on the Committee's recommendation, in coordination with the Ministry of Foreign Affairs.

B- The grievance request shall include the name and address of the listed person or entity, the number of the listing decision and its date, as well as a detailed description of the reason for requesting the cancellation of the listing decision, including the reason why the criteria of the competent Sanctions Committee do not apply thereto, and other issues required by the competent Sanctions Committee.

C- The Attorney General shall refer the grievance request to the Committee to make its recommendations in this regard.

D- The Attorney General shall take his decision on the grievance within thirty (30) days from the date of receiving it. If the mentioned period elapses without deciding on the grievance, it shall be deemed as rejected.





E- The requestor shall be notified of the rejection decision on the grievance request within fifteen (15) days from its issuance.

Article (20)

A- If the Attorney General decides to accept the grievance request and assumes that there is no merit in continuation of the listing, then he shall, in coordination with the Ministry of Foreign Affairs, address the competent Sanctions Committee to delist the name of the grievant.

B- The proposal to delist the name of the listed person shall be sent to the Office of the Ombudsperson if the listing was issued by the Committee of Sanctions imposed on ISIS and Al Qaeda, and to “the Coordination Centre” established pursuant to Decision No. (1730) of 2006, in case the listing was not issued by the Committee of Sanctions imposed on ISIS and Al Qaeda.

Article (21)

A- Qatari persons or entities, or other persons or entities existing in the territory of the State, from among those listed on the Security Council List, may submit delisting requests, either directly to the Office of the Ombudsperson (ombudsperson@un.org) or to the Coordination





Centre: <https://www.un.org/securitycouncil/ar/sanctions/delisting>, with all the supporting information and documents being attached to the request.

B- The Attorney General shall, with the assistance of the Committee and in coordination with the Ministry of Foreign Affairs, respond on behalf of the State to the requests for information received from the Specialized United Nations Agency to consider the delisting requests.

Article (22)

A- If the competent Sanctions Committee decides to delist the concerned person or entity from the Security Council List, the Attorney General shall decide to delist and immediately remove the name from the Sanctions List.

B- The Committee shall remove the person's name from its website on the Internet immediately upon the issuance of decision of the Attorney General to delist from the Sanctions List, and shall assist the Regulatory Authorities and other Competent Authorities to develop effective practical procedures that guarantee the immediate termination of the sanctions resulting from the listing, upon its cancellation, including the





release of the frozen funds within a period not exceeding (3) working days.

C- The Attorney General, upon proposal of the Committee, when there are reasonable grounds and rational bases, may issue another independent decision to list the same person or entity on the Sanctions List as soon as his name is delisted from the Security Council List.

Article (23)

A- The Committee may propose to the Attorney General on its own initiative or upon request of the heirs to submit requests to the Specialized United Nations Agency to delist the names of the deceased natural persons, and to remove them from the Security Council List after taking necessary measures to ensure that the funds belonging to the deceased person are not made available to any other listed person or entity regardless of whether such person is an heir or beneficiary of the deceased person's legacy. The official documents proving the death and the relationship of the heirs who submit the request shall be attached to the request.





B- The Committee may propose to the Attorney General on its own initiative to submit to the Specialized United Nations Agency the requests to delist the legal persons that are intended to be liquidated and remove them from the Security Council List after taking necessary procedures to ensure that these funds are not made available to any other listed person or entity. The official documents related to the mentioned legal persons shall be attached to the request.

Section Two

Delisting of the Names of Persons and Entities Listed pursuant to the Decisions of the Attorney General Issued upon Proposal of the Committee

Article (24)

A- The Attorney General may, on his own initiative or upon proposal of the Committee, amend the listing decision, or cancel it and remove the name of the person or entity from the Sanctions List whenever he sees that there is no basis for the continuation of the listing, and the Attorney General shall notify the listed person or entity of the delisting decision within one working day from the date of issuance of the decision. In all





cases, the recommendations of the Committee submitted to the Attorney General regarding amendment of the decision of listing or delisting shall be taken into account.

B- Cancellation of the listing decision shall result in the removal of all the effects related to it. The Committee shall immediately publish the cancellation decision on its website, remove the name of the person or entity from the Sanctions List thereon, and inform the Parties Concerned with the Implementation of the decision to delete the person's name and remove it from the Sanctions List.

C- When delisting due to death of the listed person or liquidation of the legal person, and releasing the frozen funds, the necessary measures shall be taken to ensure that the funds are not made available to any other listed person or entity regardless of whether such person is an heir or beneficiary of the deceased person's legacy.

D- The Committee shall work with the assistance of the Regulatory Authorities and the rest of the Competent Authorities to develop effective practical procedures to ensure the immediate termination of the sanctions resulting from the listing after its cancellation.





Article (25)

A- The Attorney General shall receive grievances submitted by the persons or entities listed on the Sanctions List against the decisions of listing or extending its term, and shall refer them to the Committee to receive its recommendations thereon, and then he shall decide thereon by accepting or rejecting them within (30) days from the date of their submission.

B- The grievance request shall include name of the listed person, his address, date of the listing, a detailed description of the reason for requesting cancellation of the decision of listing or extending its term, and an explanation of the grounds for not applying the conditions of listing thereto.

C- If the Attorney General decides to reject the request, the requestor shall be immediately notified in writing of the rejection decision, and he may appeal against the decision of listing or extending its term before the criminal circuit at the Court of Appeal within sixty days from the date of notifying the person or entity of the decision of listing or extending it.

D- The listed person or entity may appeal against the decision of listing or the decision of extending it before the criminal circuit at the Court of





Appeal within sixty days from the date of notification of the decision without grievance, and his right to raise grievance shall be forfeited once the appeal is submitted.

E- The right of the listed person or entity to appeal shall be forfeited by the lapse of (60) days without using such right. However, his right to grievance shall remain valid, and he may exercise it at any time during the period of validity of the decision.

F- In the event that a final judgment issued by the competent court to cancel the listing decision, the Attorney General shall spontaneously and immediately remove the name of the person or entity from the Sanctions List unless the person listed on the Sanctions List is listed on the United Nations List. In such case, the Attorney General shall exercise his powers stipulated in Article No. (18) of this Decision.

G- In all cases and at any time, it is permissible for the listed person or entity to provide the Committee with all information and data available to him. The Committee shall study such information and data to evaluate the extent to which the reasons for listing are still applicable, with the intention of submitting a proposal of amendment of the listing decision





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to the Attorney General. In such case, the Committee shall exercise its powers stipulated in Article (18) of this Decision.





Part Three

Freezing the Funds

Chapter One

Implementation of the Freeze

Article (26)

A- All the Parties Concerned with the Implementation in the State shall immediately take the initiative to freeze all funds of the listed persons or entities, including the transferred money required to be executed by them or in their favour, after the notification of the decision of listing on the Sanctions List based on the Committee's proposal and without delay and without prior notification to the listed person or entity. In all cases, the decision of listing and freezing shall be implemented within (12) hours from the date of the announcement thereof.

B- The natural and legal persons in the State, including government bodies, designated financial institutions and non-financial businesses and professions, and non-profit organizations and other related bodies, must freeze all funds of the person or entity listed on the Security Council List immediately and not exceeding (24) hours from the time of listing on the





Security Council List, and without waiting for issuance of the decision of listing on the Sanctions List or the announcement thereof, and without prior notification to the mentioned person or entity. The Regulatory Authorities shall, in coordination with the Committee under the supervision of the Attorney General, develop the various means of communication and information processing systems available and update them periodically and practically in a manner that ensures the quick access of knowledge for the designated financial institutions and non-financial businesses and professions, and non-profit organizations with every new listing once it occurs, and in a manner that enables them to take the freezing measures immediately.

C- The designated financial institutions and non-financial businesses and professions, and non-profit organizations shall, within a period not exceeding (48) hours from the date of issuance of the listing decision, submit a first report to the Regulatory Authorities to which they are subject, on the measures taken to implement the freeze, and all the procedures that are taken in compliance with the listing decision. Such report shall include, in particular, the value of the funds that have been





frozen, the type, date and time of the freeze, and any potential transactions or other relevant information. The Regulatory Authorities shall refer such reports immediately to the Committee and the Financial Information Unit. It shall also direct a second report to those mentioned, within (30) days from the date of issuance of the listing decision, including an update of the first report and additional measures taken. The designated financial institutions and non-financial businesses and professions, and non-profit organizations shall also submit a report if the information and data related to the funds and frozen economic resources change for the same purpose. In all cases, the Committee shall study the reports it receives and submit the conclusions of such study to the Attorney General.

D- The designated financial institutions and non-financial businesses and professions, and non-profit organizations shall immediately notify the Regulatory Authorities to which they are subject, of every attempt to make any transaction which is under freezing funds referred to the benefit of the listed persons and entities as soon as the transaction is completed, and shall freeze the funds they receive to process the





transactions in favour of the listed person or entity. The Regulatory Authorities shall immediately notify the Public Prosecution, the Committee and the Financial Information Unit of such information.

E- Persons, including government bodies, designated financial institutions and non-financial businesses and professions, and non-profit organizations and other related entities who are addressed by the law, shall be prohibited from providing any funds, financial services, or other related services, whether directly or indirectly, fully or partially, or jointly with others, for the benefit of the listed persons or entities or the entities owned by them, or those controlled by them directly or indirectly, or from providing any of such funds or financial services or other related services for the benefit of the persons and entities acting on their behalf, or those being operated under the direction from them, or receiving them from them, or entering into a financial transaction with them, unless there is prior permission from the Attorney General based on the Committee's proposal.

F- All persons mentioned in the preceding paragraph, other than those referred to in paragraph (C) of this Article, shall notify the Committee of





any funds that they possess, actually or judgmentally, directly or indirectly, and observe the procedures specified by the Attorney General based on the Committee's proposal.

Article (27)

- A- Issuance of the listing decision shall not change the ownership share of the listed person or entity on the frozen funds except within the limits of what is issued by a judicial order or an administrative action.
- B- In cases where the nature of the frozen funds requires the assignment of a person who manages them effectively, the Attorney General shall specify the person or body responsible for managing them.
- C- The person assigned to manage the frozen funds shall take the initiative to perform the stocktaking of the funds when receiving them, in the presence of the representative of the Public Prosecution and an expert specialized according to its nature, and also in the presence of the concerned parties or their representatives according to the law, if any.
- D- The person assigned to manage the frozen funds shall be committed to preserve, well manage, and return them with their received proceeds and





their returns upon the termination of the freeze or the expiry of the commitment he assumed in accordance with the provisions of the Civil Law.

E- The Person assigned to manage the frozen funds shall be committed to keep confidentiality of the information, data and documents that he reviews, or those provided or exchanged within the framework of the implementation of this Decision. Such obligations include refraining from disclosure of the source of such information. The obligation of the confidentiality shall continue even after termination of his work.

Chapter Two

Grievance against Freezing

Section One

Funds Which Are Erroneously Frozen

Article (28)

A- Persons or entities whose names are similar or identical to the names of listed persons or entities and whose funds have been frozen erroneously,





may submit requests to unfreeze the funds in a first stage to the authority in whose custody the funds are.

B- In case the request for unfreezing the funds is rejected, the aggrieved party may submit a grievance request to the Committee to explain the reasons for the incorrectness of applying the listing decision to the funds.

C- The Committee shall submit its recommendations within three working days from the date of receiving the grievance, to the Attorney General.

D- The Attorney General shall issue his decision within two working days from the date of receiving the Committee's recommendations.

E- If the grievance request is approved, the Attorney General shall notify the requestor that his grievance is accepted without delay, and the Committee shall immediately notify all relevant authorities to take the necessary actions, including unfreezing the funds immediately and not later than (24) hours from the date of approval of the grievance request.

F- If the grievance request is rejected after proving that such person or entity was already listed on the Sanctions List, the Attorney General shall notify the requestor, in writing, of the decision of rejection, along with





an explanation of its reasons. He may, after that, raise grievance against the listing decision, in accordance with the grievance procedures.

Section Two

The Rights of Bona Fide Third Parties

Article (29)

When implementing the obligations related to freezing the funds of the listed person or entity, or when issuing a decision to unfreeze and release the frozen funds, adequate measures shall be taken to consider the interests and rights of bona fide third parties who have an interest in such funds.

Article (30)

- A. Any person or entity who is not listed, and has legal rights or interest in the funds that have been frozen may submit a grievance request to the Committee to unfreeze them.
- B. The grievance request shall include the name and address of the listed person or entity, the date of listing, the name of the grievant as bona fide party, his address, and an explanation of the grounds of his interest in the funds. Their supporting documents as well as a detailed description of





the reason for requesting to exclude the funds from the freeze and unfreeze them shall be attached thereto.

C. The Committee shall study the request submitted to it, and verify the status of the grievant as a bona fide third party, and assess the merit of the request in terms of the extent of the necessity of lifting the freeze to protect the rights of the grievant, and assess the extent of the request's conformity with the objectives of the sanctions program and other considerations related to its competences. Then the Committee shall submit its recommendations to the Attorney General within a month from the date of receiving the request.

D. At the time of considering the proposal to issue a decision to exclude funds from the freeze, the considerations related to the interest of the listed person or entity in the frozen funds, the extent of conformity of unfreeze with the objectives of the sanctions program, and any other considerations specified by the Attorney General shall be taken into account.

E. The Attorney General shall make his decision on the request within (15) days from the date of receiving the Committee's recommendations. In





the event of approving the request, he shall publish his decision in the Official Gazette. The Committee shall directly notify the grievant and the authorities concerned with the freeze, to take the initiative to remove it immediately.

- F. When issuing the decision of unfreezing the funds, the Attorney General shall, with the assistance of the Committee, take necessary measures to ensure that such funds are not made available to any other listed person or entity.

Chapter Three

Partial Unfreezing

Section One

Necessary Permissions

Article (31)

- A- If the freeze includes the funds of the persons and entities listed pursuant to Decision No. (1718) of 2006 and Decision No. (2231) of 2015, and they are not a subject of independent decisions of listing on the National Sanctions List, then the Committee shall take the necessary measures to





add the payments due under the contracts, agreements or obligations that arose before adding the name of the person or the entity on the United Nations List, on condition of notifying the relevant Specialized United Nations Agency by at least (10) days before the date of the permission, and coordinate with the Attorney General to issue the necessary decisions thereof.

B- If the freeze includes the funds of persons or entities specified pursuant to Decision No. (1718) of 2006 and any subsequent decisions, the Committee shall take the necessary measures to permit the designated financial institution or non-financial businesses and professions, or any other person or entity that has frozen the funds subject to a mortgage or judicial, administrative or arbitral judgment, to make the payments due to settle what is related to such mortgage or judgment in accordance with the following conditions:

- Proving that the mortgage or the judgment is prior to the date of the Decision No. (1718).
- Proving that the payments will not be received, whether directly or indirectly, by a listed person or any other person or entity





specified by the Security Council Decision No. (1718) of 2006 and any subsequent decisions thereof.

- Sending a prior notification to the Security Council expressing the intention of the State to settle or receive the payments, or authorize to utilize them, or unfreeze the funds or the economic resources when necessary, for the same purposes by at least (10) days before permitting thereof, and coordinating with the Attorney General to issue necessary decisions for that.

Article (32)

If the freeze includes the funds of persons or entities specified by Decision No. (1737) of 2006 and Decision No. (2231) of 2015, the Committee shall take the necessary measures to permit the designated financial institution and non-financial businesses and professions or any other person or entity that has frozen funds, to settle payments due under contracts that arose before the date of adding the name of the person or entity on the United Nations List, provided that the following conditions shall be taken into account:

- Proving that such contracts are not related to any items, materials, equipment, goods, techniques, assistance, training, financial





assistance, investments, prohibited brokerage services or services referred to in Security Council Decision No. (2231) of 2015 and any subsequent decisions.

- Sending a prior notification to the relevant Specialized United Nations Agency to request to allow the settlement of the payment or request the permission, if necessary, to unfreeze the funds or the economic resources for the same purposes, by at least (10) days before permitting thereof, and coordinating with the Attorney General to issue the necessary decisions for that.

Article (33)

The following expenses also are considered necessary expenses: The expenses required for nuclear civil cooperation projects mentioned in Annex (3) of the Joint Comprehensive Plan of Action, and the expenses required for activities directly related to the items stipulated in paragraph (2) of Security Council Decision No. (2231) of 2015, or any activity required to implement the Joint Comprehensive Plan of Action.





Section Two

Settlement of the Basic and Extraordinary Expenses

Article (34)

- A- If a person or entity is listed under a decision of the Security Council or its Sanctions Committee pursuant to Chapter Seven of the Charter of the United Nations, then the Committee may, in coordination with the Attorney General, on its own initiative or at the request of the concerned parties, address the Ministry of Foreign Affairs to submit a request to the Specialized United Nations Agency to permit the unfreeze of part of the funds to settle the basic expenses for those included in the listing and freezing in accordance with the relevant Sanctions Committee decisions.
- B- The Attorney General shall issue the final permission to settle such basic expenses other than the extraordinary expenses after receiving an explicit notification of no objection from the Specialized United Nations Agency, or after the lapse of (72) hours from the date of the request without receiving an explicit notification of rejection from it. Then the Attorney General shall request, through the Committee, from the authority in





whose custody the funds are, to immediately unfreeze the amounts subject of the permission.

Article (35)

A- If the listing of the person or the entity occurs under a decision of the Security Council or its Sanctions Committee pursuant to Chapter Seven of the Charter of the United Nations, and the Committee on its own assumed the merit of the need to use a part of the frozen funds in extraordinary expenses that fall in the frame of the national interest of the State and conform with the purposes of the Sanctions Program related to the State and the Sanctions Committee or received a request from the concerned parties in this regard, then the Committee, in coordination with the Attorney General, shall notify the relevant Specialized United Nations Agency, through the Ministry of Foreign Affairs. The payment shall not be permitted by the Attorney General without receiving written approval from the relevant Specialized United Nations Agency.

B- If the matter is related to the necessity of covering the charges paid for reasonable professional fees, and expenses incurred in providing legal services or covering fees or charges related to the regular preserving and





maintaining of the frozen funds, the Committee shall, in coordination with the Attorney General as a preliminary stage, address any foreign country involved in the transaction in order to know its position on whether the transaction is permissible under the Decision No. (1737) or Decision (2231), as the case may be. If all of the addressed foreign countries agree that the transaction is permissible, then the Committee, in coordination with the Attorney General, shall undertake as a second stage to notify the relevant Sanctions Committee of its desire to permit the transaction. In the event that the Sanctions Committee has no objection, or explicit decision of rejection has not been issued within ten (10) working days from the date of notification, the Attorney General shall request from the authority in whose custody the funds are to immediately unfreeze the amounts estimated by the Committee.

Article (36)

A- If the person or entity is listed on the Sanctions List under the decision of the Attorney General issued upon proposal of the Committee, and he has the frozen funds, then he or the concerned party may request the Committee to partially unfreeze some amounts after being previously





estimated for the purpose of settlement of the basic or extraordinary expenses whether for him or his dependents.

B- The Committee shall study the submitted request and propose the amounts allocated for the basic or extraordinary expenses, and submit its proposal with its recommendations to the Attorney General within (48) hours from the date of receiving the request. The Attorney General shall issue his decision within (24) hours, and the Committee shall immediately notify the requestor of the decision not later than (24) hours.

C- In the event of approval, the decision shall include the amount to be unfrozen, whether the amount is equal to or less than the requested amount.

D- The Committee shall, immediately upon the issuance of the approval decision, notify both the concerned person and the authorities in whose custody the frozen funds are, to take the necessary procedures to implement the decision.

E- In the event that there is no request from the concerned person, the National Counter-Terrorism Committee may request the Attorney





General to give the permission of partial unfreeze of some amounts for the purpose of settlement of basic or extraordinary expenses based on its study of each case of the listed natural person separately.

F- In all cases, the Attorney General may reject the request based on the study submitted by the Committee, provided that such rejection is justified. The Committee shall immediately notify the grievant of the rejection decision along with its reasons, within (24) hours.

G- The listed person or entity may raise grievance before the Attorney General against the rejection decision within (72) hours from the announcement thereof.

H- The Attorney General shall decide on the grievance decision submitted by the listed person or entity within (24) hours. In case he changes his decision, he shall refer approval to the Committee. The Committee shall take the procedures stipulated in item (D) above.

Article (37)

A- The authority in whose custody the frozen funds shall send periodic reports on the method of disposing of the funds that are paid to settle





basic and extraordinary expenses, to the Regulatory Authority to which it is subordinated, and it shall study and send them to the Committee which shall, without delay, submit them to the Attorney General.

B- If the person or entity is listed on the Security Council List, the Attorney General shall send such reports to the Specialized United Nations Agency in coordination with the Ministry of Foreign Affairs.

C- In each of the partial unfreezing cases in order to settle the basic or extraordinary expenses, the authority in whose custody the frozen funds shall submit a report to the Regulatory Authority to which it is subordinated, on the actions that have been taken to implement the decisions issued by the Attorney General within three working days from the date of implementation. The Regulatory Authorities shall submit the reports to the Committee to study and submit them to the Attorney General.





Part Four

Final Provisions

Article (38)

The Attorney General may authorize a member of the Public Prosecution at least at the rank of a Public Lawyer (Listing Officer) to issue decisions of listing on the Sanctions List, amend them and extend their term, and issue decisions related to the basic and extraordinary expenses.

Article (39)

The Committee shall publish all procedures regulating the provisions of Chapter Two of Part Two, and the Chapters Two and Three of Part Three of this Decision on its website on the International Information Network.





إدارة العقود
Contracts Department

Article (40)

All competent authorities, each within its competence, shall implement this Decision. It shall come into force as of the date of its publication in the *Official Gazette*.

Dr. Ali bin Fetais Al-Marri
The Attorney General

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