

TERRORISTS LISTS

BSP MEMORANDUM, MAY 8, 2002, May 08, 2002

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For your information, quoted hereunder is Resolution No. 069 dated May 8, 2002 of the Anti-Money Laundering Council (AMLC), created under the provisions of Republic Act (R.A.) No. 9160, the Anti-Money Laundering Act of 2001 (AMLA).

"RESOLUTION NO. 069

The Council, by unanimous vote, decided as follows:

Whereas, the Council has earlier disseminated among supervising authorities and covered institutions, United Nations Security Council Resolution (UNSCR) Nos. 1267, 1269, 1333, 1368 and 1373 dated October 15, 1999, October 19, 1999, December 19, 2000, September 12, 2001 and September 28, 2001, respectively;

Whereas, the Council has also earlier disseminated among supervising authorities and covered institutions, Executive Order No. 13224 issued by President George W. Bush on September 24, 2001, the Terrorist List dated September 24, 2001 annexed thereto, and the other Terrorist Lists dated October 12, November 2, November 7, December 4, December 20, 2001, January 9, 2002, February 26, 2002 and March 11, 2002 and required said authorities and institutions to submit covered transaction and suspicious transaction reports relating to any terrorist individual, organization or group listed therein in accordance with Section 9(c) of the AMLA;

Whereas, the United States Government has again sought the assistance of the Philippine Government in identifying and when warranted under existing Philippine laws, in freezing and blocking, any and all transactions, funds and properties of the terrorist individuals, organizations and groups enumerated in the additional Terrorist Lists issued on March 27, 2002 and April 20, 2002;

Whereas, one of the unlawful activities or predicates crimes under Section 3 of the AMLA is hijacking, destructive arson and murder perpetrated by terrorists against non-combatant persons and similar targets;

Whereas, transacting the proceeds of such terrorist acts is a money laundering offense under Section 4 of the AMLA;

Whereas, Rule 3.f of the AMLA Implementing Rules and Regulations (IRRs) includes in the definition of "proceeds," "all moneys, expenditures, payments, disbursements, costs, outlays, charges, accounts, refunds, and other similar items for the financing, operations and maintenance of any unlawful activity;"

Whereas, Sections 2, 7 and 13 of the AMLA and Rule 7.2 (8) of the IRRs authorize the AMLC to receive and take action in respect of any request of foreign states for assistance in their own anti-money laundering operations of the land that must be effectively executed and enforced by the Philippine Government;

RESOLVED:

- (1) To disseminate among supervising authorities the Terrorist Lists issued by the United States Government on March 27, 2002 and April 20, 2002 for their information, guidance and appropriate action;
- (2) To require supervising authorities to disseminate among covered institutions under their respective jurisdictions, the Terrorist Lists issued by the United States Government on March 27, 2002 and April 20, 2002 for their information, guidance and appropriate action; and
- (3) To require supervising authorities to direct the covered institutions under their respective jurisdictions to submit covered transaction reports and suspicious transaction reports involving any individual, group, organization or entity included in the aforementioned lists, in accordance with Rules 5 and 9.3 of the IRRs of the AMLA and other related or applicable rules, regulations, circulars and operating manuals promulgated by the supervising authorities.

Adopted: 8 May 2002

(SGD.) RAFAEL B. BUENAVENTURA
Chairman

(SGD.) LILIA R. BAUTISTA
Member

(SGD.) EDUARDO T. MALINIS
Member"

Pursuant to the foregoing resolution, all banks and off-shore banking units concerned shall file with the Anti-Money Laundering Council the necessary reports of suspicious and covered transactions with any individual, group, organization or entity named in the aforecited lists in accordance with Rules 5 and 9.3 of the IRRs of the AMLA and other related or applicable rules, regulations, circulars and operating manuals promulgated by the supervising authorities.

Copies of the Terrorist Lists issued by the United States Government on March 27, 2002 and April 20, 2002 are hereto attached for reference.

Adopted: 8 May 2002

(SGD.) RAFAEL B. BUENAVENTURA
Governor

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