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Circular No.	:	<u>14-2007</u>
Date	:	<u>August 7, 2007</u>
Supersedes	:	<u>New</u>

CIRCULAR LETTER

TO : ALL INSURANCE COMPANIES, INTERMEDIARIES, MUTUAL BENEFIT ASSOCIATIONS AND TRUST INSTITUTIONS FOR CHARITABLE USES

SUBJECT : ANTI-MONEY LAUNDERING COUNCIL RESOLUTION NO. 64 DATED JULY 10, 2007

Attached is a copy of AMLC Resolution No. 64 dated July 10, 2007. All covered institutions are hereby directed to submit to AMLC, reports of covered or suspicious transactions, if any, involving the subject of the said resolution.

For strict compliance.


EVANGELINE CRISOSTOMO-ESCOBILLO
Insurance Commissioner

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J.P. [Signature]





Anti-Money Laundering Council

Bangko Sentral ng Pilipinas Complex
Manila, Philippines

RESOLUTION NO. 64 Series of 2007

On 7 December 2006, the United States designated domestically under its Executive Order 13224, the following as terrorist facilitators and inciters:

1. **Najmuddin Faraj Ahmad a.k.a. Mullah Krekar;**
2. Hamid Al-Ali;
3. Jaber Al-Jalamah;
4. Mubarak Al-Bathali; and
5. **Mohamed Moumou.**

The U.S. Government submitted the names of the said individuals to the UN 1267 Sanctions Committee¹ for inclusion in its consolidated list of entities and individuals associated with the Al-Qaida, the Taliban or Usama bin Laden subject to UN Security Council-mandated sanctions. However, the UN Sanctions Committee added only the names of **Mullah Krekar** and **Mohamed Moumou** to the sanction list because of their continued support to terrorist entities already designated by the UN 1267 Sanction Committee.

In a letter dated 22 January 2007, the United States Government, through its embassy in Manila, requested the Philippines to carefully check any funds, financial assets or economic resources, including property or interests in property owned or controlled directly or indirectly by said individuals.

In a letter dated 27 February 2007, the Department of Justice furnished the AMLC-Secretariat with a copy of the letter dated 8 February 2007 of the Department of Foreign Affairs furnishing it with copies of European Commission (EC) Regulation Nos. 1823/2006 and 14/2007 dated 12 December 2006 and 10 January 2007, respectively. These regulations amended EC Regulation No. 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing EC Regulation No. 467/2001. The amendment covered the inclusion to the list of the following individuals:

1. **Najmuddin Faraj Ahmad (alias (a) Mullah Krekar, (b) Fateh Najm Eddine Farraj, (c) Faraj Ahmad Najmuddin);**

¹ Security Council Committee that was created by virtue of Resolution No. 1267 dated October 15, 1999. It is tasked to maintain an updated list (later called "Consolidated List" via UN Security Council Resolution Nos. 1617, and 1735), based on information provided by States and regional organizations, of individuals and entities designated as being associated with Usama bin Laden, including those in the Al-Qaida organization.

2. **Mohamed Moumou** (alias (a) Mohamed Mumu, (b) Abu Shrayda, (c) Abu Amina, (d) Abu Abdallah, (e) Abou Abderrahman);
3. **Ghuma Abd'rabbah** (alisan (a) Ghunia Abdurabba, (b) Ghoma Abdrabba, (c) Abd'rabbah, (d) Abu Jamil, (e) Ghunia Abdrabba); and
4. **Mohammed Al Ghabra**. Address: East London, United Kingdom. Date of birth: 1.6.1980. Place of birth: Damascus, Syria. Nationality: British. Passport No. 094629366 (United Kingdom).

These persons are already included in the UN 1267 Sanction List. In fact, Ghuma Abd'rabbah has been the subject of AMLC Resolution No. 24 dated 22 March 2006 directing the covered institutions to submit directly to the Council reports of covered or suspicious transactions, if any.

The inclusion of **Najmuddin Faraj Ahmad, Mohamed Moumou, Ghuma Abd'rabbah**, and **Mohammed Al Ghabra** to the list of the UN Security Council Committee establishes their being associated with terrorists.

The provisions of the United Nations Security Council Resolution (UNSCR) 1373 adopted by the Security Council at its 4385th meeting on 28 September 2001 provides:

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;

x x x

x x x

x x x (Emphasis supplied)

Section 7(1) of R.A. 9160, as amended, provides:

Section 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; (Emphasis supplied)

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. (Emphasis supplied)

Consequently, on the basis of the International Convention for the Suppression of the Financing of Terrorism and the United Nations Security Council Resolution (UNSCR) 1373, and the Anti-Money Laundering Act of 2001, as amended, as well as its Revised Implementing Rules and Regulations, the Anti-Money Laundering Council is authorized to check any funds, financial assets or economic resources, including property or interests in property owned or controlled directly or indirectly by said individuals.

The Council resolved to:

1. Direct the covered institutions to submit to the Council reports of covered or suspicious transaction, if any, involving **Najmuddin Faraj Ahmad a.k.a. Mullah Krekar; Mohamed Moumou; Mohammed Al Ghabra, and**
2. Request the Supervising Authorities to disseminate this Resolution among all covered institutions under their respective jurisdictions.

10 July 2007, Manila, Philippines.


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


FE B. BARIN
Member
(Chairman, Securities and Exchange Commission)


EVANGELINE CRISOSTOMO-ESCOBILLO
Member
(Commissioner, Insurance Commission)