

Jan 31, 2023

Implementation of Section 51A of UAPA, 1967: Updates to UNSC's 1267/ 1989 ISIL (Da'esh) & Al-Qaida Sanctions List: Addition of 1 Entry

1. Clause 2.8 of the SEBI Master Circular **Guidelines on Anti-Money Laundering (AML) Standards and Combating the Financing of Terrorism (CFT) / Obligations of Securities Market Intermediaries under the Prevention of Money Laundering Act, 2002 and Rules framed there under** dated Oct 15, 2019 inter-alia states that registered intermediaries should ensure that accounts are not opened in the name of anyone whose name appears in updated list of individuals and entities which are subject to various sanction measures such as freezing of assets/accounts, denial of financial services etc., as approved by the Security Council Committee established pursuant to various United Nations' Security Council Resolutions (UNSCRs). Registered intermediaries shall continuously scan all existing accounts to ensure that no account is held by or linked to any of the entities or individuals included in the list.
2. In this regard, United Nations Security Council (UNSC) Committee established pursuant to Resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida, and associated individuals, groups, undertakings and entities below on the Sanctions List of individuals and entities subject to the assets freeze, travel ban, and arms embargo set out in paragraph 1 of Security Council resolution 2368 (2017) under Chapter VII of the Charter of the United Nations has issued the following notification.

Note SC/15186 dated Jan 27, 2021, regarding the addition of 1 entry in UNSC's 1267/1989 ISIL (Da'esh) & Al-Qaida Sanctions list.

- a. QDe.169 Name: Islamic State In Iraq And the Levant In South-East Asia (ISIL-SEA, ISIL-South East Asia) Name (original script): na A.k.a.: a) Islamic State East Asia Division b) Dawlatul Islamiyah Waliyatul Mashriq F.k.a.: na

The UNSC press release concerning the list of amended entries is available at URL: <https://www.un.org/press/en/content/press-release>

3. The latest versions of the Sanctions lists are accessible on the UN Security Council's website at the following URL:
 - a) List issued by the UNSC Committee established pursuant to resolution 1989 (2011) of individuals and entities linked to ISIL (Da'esh) and Al-Qaida
www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list

- b) List issued by the UNSC Committee established pursuant to resolution 1988 (2011) of individuals and entities linked to Taliban
<https://www.un.org/securitycouncil/sanctions/1988/materials>
4. Stock Exchanges/Depositories/AMFI/KRAs/Registered intermediaries are advised to
- a) Circulate this press release to respective members/ participants/AMC's for necessary compliance as required.
 - b) Follow the procedure as well as advise their respective members/participants/AMC's to follow the procedure as mentioned in the Central Government Order dated March 14, 2019 detailing the implementation of Section 51A of Unlawful Activities (Prevention) Act, 1967.
 - c) Scan all existing accounts to ensure that no account is held by or linked to any of the entities or individuals included in the list and also ascertain the same for future accounts as well (As per Clause 2.8.1 of SEBI "Guidelines on Anti-Money Laundering (AML) Standards and Combating the Financing of Terrorism (CFT) / Obligations of Securities Market Intermediaries under the Prevention of Money Laundering Act, 2002 and Rules framed there under" issued on Oct 15, 2019, and
 - d) Forward any request for de-listing received by them, electronically to Joint Secretary (CTCR) (e-mail id: jsctcr-mha@gov.in) and a copy of the same to MHA, Joint Secretary (UNP) (e-mail id: jsunp@mea.gov.in).
5. As per the instructions from Ministry of Home Affairs (MHA), individuals, groups, undertakings or entities seeking to be removed from the Security Council's ISIL (Da'esh) and Al-Qaida Sanctions List can submit their request for delisting to an independent and impartial Ombudsperson who has been appointed by the United Nations Secretary-General

More details are available at the following URL:

<https://www.un.org/securitycouncil/ombudsperson/application>