



External  
Relations

# Requests To the United Nations for a Terrorism Designation

30 DECEMBER 2022

Government of Jersey

# REQUESTS TO THE UNITED NATIONS FOR A TERRORISM DESIGNATION

## POLICY

While Jersey does not have a direct relationship with the United Nations, the Island can make proposals for asset-freezing designations to the UN via the UK.

## DEFINITIONS

- “FATF” means Financial Action Task Force
- “FCDO” means The Foreign, Commonwealth and Development Office of the United Kingdom
- “FIU” means the Financial Intelligence Unit
- “Minister” means the Minister for External Relations and Financial Services
- “SAFL” means the Sanctions and Asset Freezing (Jersey) Law 2019
- “UK” means the United Kingdom
- “UN” means the United Nations
- “UNSC” means the UN Security Council
- “UNSCR” means a UNSC Resolution

## BACKGROUND AND PURPOSE

This procedure applies in the event that the Minister reasonably believes that a person, who is not a UN-listed person, should be a UN-listed person in relation to, or should otherwise be subject to measures under, any one or more of the following:

1. any of the UN Security Council resolutions mentioned in Article 19(1)(c) of SAFL, namely:
  - a. the ISIL (Da’esh) and Al-Qaida Sanctions List maintained and amended from time to time by the Committee established by the UNSC under resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da’esh), Al-Qaida and associated individuals and entities,
  - b. a list maintained and amended from time to time by the Committee established by the UNSC under resolution 1988 (2011), as being associated with the Taliban; or,
2. any other UN sanctions resolution, as adopted from time to time, that states that its purposes include countering terrorism.

Under Article 45B of SAFL, if the Minister reasonably believes that a person who is not a UN-listed person in relation to the relevant UNSC Resolution should be a UN-listed person, the Minister must request Her Majesty’s Government in the UK to use its best endeavours to secure that the person becomes a UN-listed person under the relevant resolution.

However, the Minister may also make such a request to the UK if he reasonably suspects that a person who is not a UN-listed person in relation to the relevant UNSCR should be a UN-listed person.

## PROCEDURE

### 1. DECISION

In deciding whether a person should be a UN-listed person, the Minister should have regard to:

- ✓ Information and intelligence received from reporting entities, financial crime agencies, including the Financial Intelligence Unit
- ✓ any designation criteria or procedures established by any organ of the United Nations for the purpose of the relevant resolution;
- ✓ any recommendation adopted by FATF in relation to the relevant resolution;
- ✓ whether there is a legal basis for such a designation

## **2. SUBMIT PROPOSAL TO THE UK**

When submitting a request to the UK, the Minister must provide a reason for making the request and as much information the Minister is able to disclose in support of the request.

In particular, the request should:

- ✓ Provide the full name of the person or entity, along with any known aliases;
- ✓ Provide all known personal details (including date of birth, nationality, current residence, and any other known addresses);
- ✓ Provide the details of any known or suspected link between the person or entity and any other designated person or entity;
- ✓ Provide a statement, detailing the basis for the request and the grounds on which the Minister considers that the person or entity should be a UN listed person or entity.

The Minister should also disclose as much underlying evidence as possible to support the proposal.

## **3. RESPOND TO REQUESTS FOR FURTHER INFORMATION**

If at any time the UK requires additional information in order to deal with a proposal for listing from Jersey, it will ask the Minister for the necessary information.