

Decree No. (14) of 2015
Concerning the enforcement of Security Council Resolutions

President of the State of Palestine
Head of Executive Committee of Palestine Liberation Organization (PLO)
After reviewing the amended Basic Law of year 2003, and its amendments,
And according to article (47) Decree Law of Anti-Money Laundering and
Terrorism Financing
No. (20) of 2015.

And after reviewing the resolutions of International Security Council
concerning Terrorism Financing issued in accordance with Chapter Seven,
based on the authorities conferred upon us,
and to serve the public interest—have issued the following decree law,

We have decreed the following:

Chapter One

Article (1)

The Definitions

1. Unless the context indicates otherwise, for the purpose of applying this decree, the following terminologies shall hold the meanings specified for them below:

Committee: the committee of enforcing the resolutions issued from the International Security Council, formed pursuant to provisions of article (47) Decree Law of anti-money laundry and terrorism financing No.(20), of 2015.

Security Council: the United Nations International Security Council.

The United Nations Sanctions Committee: the Sanctions Committee subsidiary to the United Nations Security Council, formed pursuant to the Security Council Resolution (1267), of 1999, and Resolution (1988), of 2011.

Financial Institutions: as defined according to the provisions of article (1), annex (1) in the anti-money laundry and terrorism financing decree law No. (20), of 2015.

Designated non-financial businesses and professions: shall mean the designated non-financial businesses and professions according to the provisions of article (1), annex (2) in the anti-money laundry and terrorism financing Decree Law No. (20), of 2015.

Supervisory Authority: The authority assigned by laws to control and supervise financial institutions and non-financial businesses and professions.

Terrorism Financing: committing any of the stated acts in paragraphs (4,5), article (2), in the anti-money laundry and terrorism financing Decree Law No.(20), of 2015.

Foreign Terrorist Fighters: the individuals who travel to a country other than their residence or nationality country, for the purpose of committing, or planning or preparing or participating in terrorist acts or providing or receiving terrorist training.

Security Council Resolutions: the resolutions issued from the International Security Council pursuant to chapter VII concerning Countering -terrorism financing, including the (1373) and (1267) Security Council Resolutions and the subsequent resolutions. In addition, the Security Council Resolutions issued against Al-Qaida organization and the Taliban, as well as the related individuals and organizations, in addition to the Security Council Resolution No. (2178) concerning Foreign Terrorist Fighters Prohibition.

Property: All types of assets, whether corporeal or incorporeal, movable or immovable; legal deeds or documents of any form, including electronic or digital, proving rights of ownership of such assets or a share thereof; currency in circulation; foreign currencies; banking credits; traveler's checks; bank checks; cash transfers; shares; securities; bonds; drafts; and documentary credits; and any interest on and shares in profits; or any other income or value due or resulting from such assets.

Freezing: the prohibition of transferring property or equipment's or other instrumentalities, or converting or disposing or moving , when owned by persons or specific entities, or controlling ; pursuant to a decision issued from a competent court or other authorized authority, the attorney

general, or according to the procedures of the United Nations Security Council its resolutions, and throughout its validity period.

Terrorist : anyone commits any of the following acts:

A- Commits or attempts to commit, or participates as accomplice in any terrorist act by any means directly or indirectly ; and organizes terrorist acts or directs people to commit terrorist acts

B- Contributes in terrorist acts with group of persons acting with a common purpose, such contributions shall be willfully made with the aim of enhancing terrorist acts to be made with knowledge of the intention of the group to commit any of the terrorist acts.

Terrorist organization : any group of terrorists who commits any of the following acts:

A- Commits or attempts to commit terrorist acts deliberately by any means directly or indirectly; or accomplices in executing or organizing terrorist acts, or directs others to commit terrorist acts.

B- Contributes in committing terrorist acts with group of people who acting with a common purpose, to contribute in deliberately to affirm the terrorist act or with the knowledge of the intention of group to commit terrorist act.

Person: Natural or Legal person.

Customer: the person who has business relation with any of the financial institutions or Designated non-financial Business and professions.

2. The terminologies and phrases mentioned in this decree and not stated in paragraph (1) of this article, shall hold the meanings indicated in the Decree Law anti-money laundry and terrorism financing No. (20), of 2015.

Article (2)

Security Council Resolutions Enforcing Committee

1. The membership to the Security Council Resolutions Enforcement Committee is formed by a Decree issued by the President of the State of Palestine. The Committee is responsible for freezing the property of terrorists. The Committee's members shall include:

- a. Attorney General, chairman.
 - b. Undersecretary of ministry of Foreign affairs, member
 - c. Undersecretary of the Ministry of Justice, member
 - d. Undersecretary of the Ministry of Interior, member
 - e. Undersecretary of the Ministry of Finance, member
 - f. General Companies Controller, member
 - g. Director of Finance Follow-Up Unit, member
 - h. Director of Banks Supervision Department at the Palestinian Monetary Authority, member
 - i. General Manager of Capital Market Authority , member
 - j. A senior Representative of General Intelligence Service, member
 - k. A senior of Preventive Security Force , member
 - l. Chairman of Land Authority, member
2. Any other authority can be represented in the membership of the Committee, if necessary, under decree issued by the President of the State of Palestine based on the recommendation of the Chairman of the Committee.

Article (3)

Authorities of the Committee

The committee shall be authorized to:

1. Immediate execution of UNSCRs relevant to the CTF, particularly resolutions No. (1373) and (1267), and the arising resolutions, to be executed immediately without delay, after being published on the website of the Sanctions Committee. The Committee shall take the necessary and effective measures, and shall take any required regulations.
2. The immediate execution of the Security Council resolution No. (2178), concerning the prohibition of foreign terrorist fighters, including banning their travelling, moves, recruitment, organizing, financing, and assistance in any manner, directly or indirectly, as well as ban their provide or receive training for the purpose of carrying out terrorist acts, in addition to immediate freezing of property of foreign terrorist fighters determined by the Sanctions Committee.
3. Set a local list includes names of terrorist persons and terrorist organizations which freezing standards apply on, according to the information submitted from the National Competent Authorities; persons who have committed or attempted to commit terrorist acts, or have participated or facilitated in such acts. as the Committee

shall review the local list every six months at least, or whenever it deems suitable to ensure its accuracy and the continued presence of adequate reasons to retain the name of person, group, entity or organization on the list, provided that the name of such person, group, entity or organization shall be omitted from the list unless they meet the special freezing standards.

4. Committee have the power to receive requests coming from foreign countries through the Palestinian Ministry of Foreign Affairs concerning freezing the property and other assets of persons reside in State of Palestine according UNSCRs under chapter VII, and verifying the availability of freezing standards, and the Committee shall issue the order of freezing.
5. The immediate freezing of terrorists property, terrorist organizations, and terrorist entities or other persons determined by the Sanctions Committee or those classified in the local list, or according to the request of another country based on the Security Council resolutions issued pursuant to chapter VII in the Charter, whether these property are fully owned to them or commonly-owned with other parties, and whether these property were in their possession or under their control or not, directly or indirectly.
6. The immediate dissemination of names of persons whose properties are frozen, published by the Sanctions Committee to the authorities, official and non-official entities, financial institutions, and non-financial businesses and professions, in order to freeze their properties and other assets or properties of persons or entities who work on their behalf or for their interest under their guidance, and these properties shall include the properties and the derived or resulting assets from their properties or controlled by them directly or indirectly.
7. Apply for Sanctions Committee to identify a terrorist person, terrorist organization or terrorist entity in accordance with the standards provided in the Security Council Resolutions; when the sufficient evidences are provided to support this classification, providing that application is submitted without a prior notification to the person, group , and entity of whom concern.
8. Issuing the necessary regulations to manage the frozen properties pursuant to the provisions of this decree.
9. Coordination with all authorities and parties to ensure activating the necessary policies and procedures in order to execute the provisions of this decree.

10. Submit annual reports to the President of State of Palestine.
11. Issuing the necessary regulations to execute the provisions of this decree.

Article (4)

Publishing in the Official Gazette the lists of freezing, whether the determined in the lists of the Sanctions Committee, or the locally, or based on the request of an foreign country according to the provisions of this decree.

Article (5)

The financial institutions, the non-financial businesses and professions, and any other authority or person shall commit to the following:

1. Reporting to the committee immediately , upon knowing or suspecting that a costumer or a previous costumer or a person has been dealt with or is being dealt with, and he is within the terrorist persons or terrorist entities determined in the lists of Sanctions Committee or the lists determined locally or based on a request from a foreign country according to the provisions of this decree.
2. Providing the committee by the necessary information regarding the properties or any procedure taken in relation to properties, as well as information regarding the status of frozen properties, and its amount, in addition to any other related information. Further, cooperating with the committee in verifying the accuracy of submitted information, after that the committee sends the submitted information pursuant to this article to the competent authorities for verifying.

Article (6)

Anyone who submits information for the enforcement of the provisions of this decree , in good faith, is exempted from criminal, civil, or administrative liability.

Article (7)

Application for Review

1. The application for Review on the lists issued by the Sanctions Committee shall be submitted to the competent authorities in the Security Council or to the Committee.
2. The application should be submitted from concerned person regarding the local or international lists of freezing; to the committee for review, and the committee have the right to retain the name or raise it or amend the scope of freezing.

3. The resolutions issued from the committee may be appealed before the competent court.

Article (8)

1. Any concerned or related party shall submit a written application to the committee to obtain an authorization to act with the frozen properties or with part of it for the following grounds:
 - a. Payment of necessary expenses to the person whose properties are frozen or to any individual of his family including the amounts paid to meet the maintenance needs, rental allowance, housing accruals, mortgage, medications, medical therapy, taxes, insurance installments, and fees of public service.
 - b. Payment of fees and payment of management expenditures, as well as for preservation and maintenance.
 - c. Humanitarian grounds of the family of the person whose properties are frozen.
2. The consent of the committee on the authorization stated in paragraph (1) of this article is considered enforceable only after informing the Sanctions Committee and after the 3 days as of the date of informing without opposition from the competent committee in the Security Council.

Article (9)

1. The financial institutions, and non-financial businesses and professions or any other person who possesses the frozen properties pursuant to this decree, shall not carry out any financial transaction or any other act, and shall inform the committee immediately.
2. The supervising authorities are responsible for ensuring the extent of commitment of financial institutions or non-financial businesses and professions in enforcing the obligations stated in this article, and in imposing any of the sanctions stated in article (44) of the decree Law on anti-money laundry and terrorism financing No. (20), year 2015.

Article (10)

A mechanism of receiving and disseminating lists issued from the Security Council, and omission procedures carried out on lists, is organized according to regulations issued by the committee. It is organized as well for name correctness, dealing with humanitarian cases and everything related to freezing procedures pursuant to the list issued by the Sanctions Committee in the Security Council and local lists prepared by the Committee on the

National Level or International Institutions prepared upon the request of the countries.

Article (11)

Meetings of the Committee

The Committee shall meet at least four times annually, upon a call from the Committee Chairman. It shall prepare a minute to its meetings. The meeting is only appropriate if under the presence of the absolute majority (the half+1) of its members. The Committee shall issue its Bylaw which clarifies the necessary mechanism for its work, and the method of holding its meetings, in addition to the mechanism of voting and taking decisions.

Article (12)

Sanctions

Anyone who violate the provisions of this decree, and the regulations issued thereunder, shall be imposed to the sanction stated in paragraph (2), article (43) of the decree Law on anti-money laundry and terrorism financing No. (20), of 2015.

Article (13)

Enforcement, Effectiveness, and Publishing

All competent agencies, each within its purview, must implement, and operate according to, the provisions of this decree from the date on which it published in the Official Gazette.

Mahmoud Abbas
President of the State of Palestine
Head of Executive Committee of
Palestine Liberation Organization
(PLO)