Government of Pakistan NS AML-CFT Supervisory Board Secretariat Finance Division Islamabad

Subject:

GUIDELINES BY NATIONAL SAVINGS AML-CFT SUPERVISORY BOARD FOR CDNS ON TARGETED FINANCIAL SANCTIONS (TFS) UNDER UNSC

RESOLUTIONS

Reference to the subject above. The Chairman, NS AML and CFT Supervisory Board has been pleased to approve followingGuideline for CDNS after due deliberations among the Members of the Supervisory Board. The same are hereby issued to CDNS for compliance of FATF Recommendations for Pakistan and applicable laws & rules, including AML Act, 2010 (amended Sep, 2020) and National Savings AML and CFT (Powers & Functions) Rules, 2020. The subject guideline is listed below, namely:

Guidelines/Γemplate by National Savings AML-CFΓ Supervisory Board for CDNS on: Targeted Financial Sanctions (TFS) under UNSC Resolutions

CDNS is directed to take all necessary steps to implement the aforesaid Guidelines.

(Fahad Ahmed)
Section Officer(CDNS)
Finance Division, Islamabad

The Director General, CDNS, Islamabad

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Dated: 1st of October, 2020

Distribution:

- 1) AFS (Budget) / Chairman NS AML-CFT Supervisory Board, Finance Division, Islamabad
- 2) Mr. Khawaja Adnan Zahir, DG-FATF, National FATF Secretariat, C-Block Pak Secretariat Islamabad.
- 3) Mr. Javed Iqbal Khan, JS (B-II), Finance Division Islamabad.
- 4) Mr. Syed Jahangir Shah, Director SBP, Karachi.
- 5) Ms. Tanzila Mirza, Additional Director SECP, SECP Islamabad.
- 6) Mr. Adnan Imran, Director FMU, SBP Building, G-5 Islamabad.

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GUIDELINES FOR CDNS ON TARGETED FINANCIAL SANCTIONS (TFS) UNDER UNSC RESOLUTIONS

- 1. TFS obligations are provided under the following legal instruments:
 - United Nations (Security Council) Act, 1948 (UNSC Act)
 - United Nations Security Council (Freezing and Seizure) Order, 2019
 - Statutory Regulatory Orders (SROs) issued under UNSC Act
 - Anti-Terrorism Act, 1997 (ATA)
 - Notifications issued under ATA
 - AML Act, 2010

UNSC and Domestic Sanctions Regimes

- 2: The Government of Pakistan under the UNSC Act gives effect to the decisions of United Nations Security Council (UNSC) whenever the Consolidated List is updated maintained by the relevant Sanctions Committee. The details of sanctions imposed by the UNSC along with the Consolidated Lists are available on the UNSC Sanctions Committees' websites at the following links:
 - (a) https://www.un.org/securitycouncil/content/un-sc-consolidated-list
 - (b) https://scsanctions.un.org/search/
 - (c) https://www.un.org/securitycouncil/sanctions/1267
 - (d) https://www.un.org/securitycouncil/sanctions/1988
 - (e) https://www.un.org/securitycouncil/sanctions/1718
 - (f) https://www.un.org/securitycouncil/content/2231/background
- 3. Ministry of Foreign Affairs (MOFA) issues SROs to provide legal cover for implementing sanction measures under UNSC resolutions. These SROs in respect of designated individuals/ entities require assets freeze, travel ban and arms embargo in addition to other measures in accordance with the UNSC resolutions, and are available publicly at the following links:
 - (a) http://mofa.gov.pk/unsc-sanctions/
 - (b) http://www.secdiv.gov.pk/page/sro-unscr-sanctions
- 4. Similarly, for implementing sanction measures under UNSC Resolution 1373 (2001), the Ministry of Interior and respective Home Departments/ Chief Commissioner ICT issues Notifications of proscribed entities and individuals respectively, pursuant to the ATA. The consolidated lists of proscribed individuals and entities are available publicly at the following links:
 - (a) https://nacta.gov.pk/proscribed-organizations-3/
 - (b) https://nacta.gov.pk/pp/
 - (c) https://nfs.punjab.gov.pk/

Dissemination of Changes

- To ensure prompt transmission of SROs issued by MOFA to relevant stakeholders, including CDNS, MOFA has put in place an email subscription service. Relevant employees of CDNS is required to sign up for this service through MOFA's website at: http://202.83.172.66/app/signup/
- 6. In addition to above, National Savings AML-CFT Supervisory Board also circulates the subject SROs/ Notifications to CDNS as an additional measure.

National Savings AML-CFT Supervisory Board

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Guidelines by MOFA and NACTA

7. To provide further guidance on implementation of TFS obligations, MOFA and National Counter Terrorism Authority (NACTA) has issued detailed Guidelines as follows:

TFS on Terrorism and Terrorism Financing (TF)

- MOFA's Guidelines on the Implementation of UNSC Resolutions concerning Targeted Financial Sanctions, Travel Ban, and Arms Embargo http://mofa.gov.pk/wp-content/uploads/2020/04/Guidelines-for-Implementation-of-UNSC-1267-Sanctions.pdf
- NACTA's Guidelines on Actions to be taken by Competent Authorities for Implementation of United Nation Security Council Resolution No. 1373 https://nacta.gov.pk/united-nations-security-council-resolution-1373/

TFS on Proliferation and Proliferation Financing (PF)

- MOFA's Guidelines on the Implementation of UNSC Resolutions concerning TFS for PF http://secdiv.gov.pk/uploads/CRMC Guidelines on TFS for PF-38da.pdf
- 8. **CDNS** may seek further guidance from Government of Pakistan through National Savings AML-CFT Supervisory Board regarding any queries on the subject.

Guidance to affected persons by CDNS

9. **CDNS** shall educate their customers that in case of any wrongful or inadvertent freezing, they may apply in writing for de-listing to Government of Pakistan through relevant Ministry or to the UN's Ombudsperson, as the case may be.
