OTHER ACTS

# EUROPEAN COMMISSION

**Notice for the attention of the persons, entities, bodies and groups added to the list referred to in Articles 2, 3 and 7 of Council Regulation (EC) 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, by virtue of Commission Regulation (EU) No 70/2010**

(2010/C 19/11)

1. Common Position 2002/402/CFSP [1] calls upon the Community/Union to freeze the funds and economic resources of Usama bin Laden, members of the Al-Qaida organisation and the Taliban and other individuals, groups, undertakings and entities associated with them, as referred to in the list drawn up pursuant to UNSCR 1267(1999) and 1333(2000) to be updated regularly by the UN Committee established pursuant to UNSCR 1267(1999).

The list drawn up by this UN Committee comprises:

— Al Qaida, the Taliban and Mr Usama bin Laden,

— natural or legal persons, entities, bodies and groups associated with Al Qaida, the Taliban and Mr Usama bin Laden, and

— legal persons, entities and bodies owned or controlled by, or otherwise supporting, any of these associated persons, entities, bodies and groups.

Acts or activities indicating that an individual, group, undertaking, or entity is 'associated with' Al-Qaida, Usama bin Laden or the Taliban include:

(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of, Al Qaida, the Taliban or Mr Usama bin Laden, or any cell, affiliate, splinter group or derivative thereof;

(b) supplying, selling or transferring arms and related materiel to any of them;

(c) recruiting for any of them; or

(d) otherwise supporting acts or activities of any of them.

2. The UN Committee decided on 19 January 2010 to add Said Ali Al-Shihri, Nasir 'Abd-Al-Karim' Abdullah Al-Wahishi and Al-Qaida in the Arabian Peninsula to the relevant list. Each of them concerned may submit at any time a request to the UN Committee, together with any supporting documentation, for the decision to include him or it in the UN list referred to above, to be reconsidered. Such request should be sent to the following address:

United Nations — Focal point for delisting
Security Council Subsidiary Organs Branch
Room S-3055 E
New York, NY 10017
UNITED STATES OF AMERICA

See for more information at http://www.un.org/sc/committees/1267/delisting.shtml

[1] OJ L 139, 29.5.2002, p. 4.

3. Further to the UN decision referred to at 2, the Commission has adopted Commission Regulation (EU) No 70/2010 ([1]), which amends Annex I to Council Regulation (EC) 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 ([2]), pursuant to Articles 7(1)(a) and 7a(1) of Regulation (EC) No 881/2002.

Therefore, the following measures of Regulation (EC) No 881/2002 apply to the three natural persons concerned:

1. the freezing of all funds, other financial assets and economic resources belonging to the persons concerned, or owned or held by them, and the prohibition (on everyone) on making funds, other financial assets and economic resources available to the persons concerned or for their benefit, whether directly or indirectly (Articles 2 and 2a ([3]));

   and

2. the prohibition on granting, selling, supplying or transferring technical advice, assistance or training related to military activities to any of the persons concerned, whether directly or indirectly (Article 3).

4. Article 7a of Regulation (EC) No 881/2002 ([4]) provides for a review process where observations on the grounds for listing are submitted by those listed. The natural or legal persons, entities, bodies and groups concerned by the listing of Regulation (EU) No 70/2010 may make a request for the grounds for their listing to the Commission. This request should be sent to:

European Commission
'Restrictive measures'
Rue de la Loi/Wetstraat 200
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

5. The attention of the persons, entities, bodies and groups concerned is also drawn to the possibility of challenging Regulation (EU) No 70/2010 before the General Court of the European Union, in accordance with the conditions laid down in the fourth and sixth paragraphs of Article 263 of the Treaty on the Functioning of the European Union.

6. Personal data of the natural persons concerned by the listing of Regulation (EU) No 70/2010 will be handled in accordance with the rules of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ([5]). Any request, e.g. for further information or in order to exercise the rights under Regulation (EC) No 45/2001 (e.g. access or rectification of personal data), should be sent to the Commission, at the address mentioned under point 4 above.

7. For good order, the attention of the natural and legal persons, entities, bodies and groups listed in Annex I is drawn to the possibility of making an application to the competent authorities in the relevant Member State(s), as listed in Annex II to Regulation (EC) No 881/2002, in order to obtain an authorisation to use frozen funds and economic resources for essential needs or specific payments in accordance with Article 2a of that Regulation.

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([1]) OJ L 20, 26.1.2010, p. 1.
([2]) OJ L 139, 29.5.2002, p. 9.
([3]) Article 2a was inserted by Council Regulation (EC) No 561/2003 (OJ L 82, 29.3.2003, p. 1).
([4]) Article 7a was inserted by Regulation (EU) No 1286/2009 (OJ L 346, 23.12.2009, p. 42).
([5]) OJ L 8, 12.1.2001, p. 1.