OTHER ACTS

EUROPEAN COMMISSION

Notice for the attention of Ibrahim Hassan Tali Al-Asiri who was 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 317/2011

(2011/C 101/12)

1. Common Position 2002/402/CFSP [1] calls upon the 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 Usama bin Laden,

— natural or legal persons, entities, bodies and groups associated with Al Qaida, the Taliban and 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 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 23 March 2011 to add Ibrahim Hassan Tali Al-Asiri to the relevant list. He may submit at any time a request to the UN Ombudsperson, together with any supporting documentation, for the decision to include him in the UN list referred to above, to be reconsidered. Such request should be sent to the following address:

United Nations — Office of the Ombudsperson
Room TB-08041D
New York, NY 10017
UNITED STATES OF AMERICA

Tel. +1 2129632671
Fax +1 2129631300 / 3778
E-mail: ombudsperson@un.org

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

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

3. Further to the UN decision referred to in paragraph 2, the Commission has adopted Regulation (EU) No 317/2011 ([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]). The amendment, made pursuant to Articles 7(1)(a) and 7a(1) of Regulation (EC) No 881/2002, adds Ibrahim Hassan Tali Al-Asiri to the list in Annex I of that Regulation ('Annex I').

The following measures of Regulation (EC) No 881/2002 apply to the individuals and entities included in Annex I:

1. the freezing of all funds and economic resources belonging to the individuals and entities concerned, or owned or held by them, and the prohibition (on everyone) on making funds and economic resources available to any of the individuals and entities 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 individuals and entities 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. Individuals and entities added to Annex I by Regulation (EU) No 317/2011 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 individuals and entities concerned is also drawn to the possibility of challenging Regulation (EU) No 317/2011 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 individuals concerned 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 (now Union) 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 individuals and entities included 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.

([1]) OJ L 86, 1.4.2011, p. 63.
([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 Council Regulation (EU) No 1286/2009 (OJ L 346, 23.12.2009, p. 42).
([5]) OJ L 8, 12.1.2001, p. 1.