Notice for the attention of JUND AL-KHILAFAH IN TUNISIA (JAK-T), whose name 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 the ISIL (Da'esh) and Al-Qaida organisations, by virtue of Commission Implementing Regulation (EU) 2022/5

(2022/C 4 I/02)

1. Council Decision (CFSP) 2016/1693 ([1]) calls upon the Union to freeze the funds and economic resources of the members of the ISIL (Da'esh) and Al-Qaida organisations 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:

— ISIL (Da'esh) and Al Qaida;

— natural or legal persons, entities, bodies and groups associated with ISIL (Da'esh) and Al Qaida; 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' ISIL (Da'esh) and Al-Qaida 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 ISIL (Da'esh) and Al Qaida, 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 Security Council Committee approved on 29 December 2021 the addition of the entry of JUND AL-KHILAFAH IN TUNISIA (JAK-T) to the ISIL (Da'esh) and Al-Qaida Sanctions Committee's list.

JUND AL-KHILAFAH IN TUNISIA (JAK-T) 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 requests should be sent to the following address:

United Nations - Office of the Ombudsperson
Room DC2-2206
New York, NY 10017
UNITED STATES OF AMERICA

Tel. +1 212 963 2671

Fax +1 212 963 1300/3778

Email: ombudsperson@un.org

See for more information at https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list/procedures-for-delisting

([1]) OJ L 255, 21.9.2016, p. 25.

3. Further to the UN decision referred to in paragraph 2, the Commission has adopted Implementing Regulation (EU) 2022/5 ([2]), which amends Annex I to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations ([3]). The amendment, made pursuant to Article 7(1)(a) and 7a(1) of Regulation (EC) No 881/2002, adds the name of JUND AL-KHILAFAH IN TUNISIA (JAK-T) 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, owned, held or controlled, directly or indirectly, by the individuals and entities listed in Annex I including by a third party acting on their behalf or at their direction and the prohibition (on everyone) on making funds and economic resources available, whether directly or indirectly, to or for the benefit of any of the individuals and entities listed (Articles 2 and 2a); and

(2) the prohibition on providing, directly or indirectly, technical advice, assistance or training related to military activities, including in particular training and assistance related to the manufacture, maintenance and use of arms and related materiel of all types, to any of the individuals and entities listed in Annex 1 (Article 3).

4. Article 7a of Regulation (EC) No 881/2002 provides for a review process where the listed person or entity has an opportunity to express his, her or its views on the matter. Where observations are submitted, the Commission reviews its decision to include the person or entity in Annex I of Regulation (EC) No 881/2002 in the light of those observations. Individuals and entities added to Annex I by Implementing Regulation (EU) 2022/5 may make a request for the grounds for their listing to the Commission. This request and eventual observations should be sent to:

European Commission
'Restrictive measures'
Rue de Spa 2
1049 Bruxelles/ Brussel
BELGIQUE/BELGIË

5. The attention of the individuals and entities concerned is also drawn to the possibility of challenging Implementing Regulation (EU) 2022/5 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. 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.

([2]) OJ L 1, 5.1.2022, p. 9.
([3]) OJ L 139, 29.5.2002, p. 9.