

Terrorist Assets Freezing Procedure

Article 1: Basis

This Procedure has been established pursuant to Article 24 of Regulation on Freezing Terrorists Assets published in Official Gazette 1161.

Article 2: Purpose

The purpose of this Procedure is to:

1. Implement immediately the sanctions on persons, entities or organizations designated under UNSCR 1267 and 1988 or its successor resolutions.
2. Impellent immediately the sanctions on persons, entities or organizations designated by other countries.
3. Implement immediately the sanctions on persons, entities or organizations designated by National Security Council.

Article 3: Sanctions under UNSCR 1267 and 1988

1. If any person, entity or organization placed on, or be removed from UNSCR 1267 and 1988 sanction list, the National Security Council and the Ministry of Foreign Affairs, should without delay inform the Attorney General Office and Financial Intelligence Unit and request freezing or unfreezing of the movable or immovable assets of the person, entity or the organization.
2. The Attorney General Office shall serve the order of freezing or unfreezing the assets of persons referred to in Paragraph 1 of this Article to all persons, government agencies and its sub- organizations. The freezing/ unfreezing order shall be published in a newspaper of mass circulation.
3. Persons, government agencies and the organization received the order, are required to immediately identify and seize/release or unfreeze the assets of the person subject to the order, and report their actions to the Attorney General Office.
4. The Financial Intelligence Unit is required to serve without delay freezing/ unfreezing order on all reporting entities.
5. The reporting entities shall report to the Financial Intelligence Unit of their actions taken to implement the provisions of this Article.

6. The Attorney General Office and the Financial Intelligence Unit shall submit to the Ministry of Foreign Affairs the reports received about freezing and seizing the assets of the designated persons.

Article 4: Objection to designation under UNSCR 1267 and 1988

1. Person, entity or organization whose names are placed on 1267 and 1988 sanctions list, can directly submit an application for delisting to the relevant sanction committee of the United Nation or the Ministry of Foreign Affairs.
2. The Ministry of Foreign Affairs shall follow the established procedure of the Sanction Committee of the United Nation including use of standard forms for delisting.

Article 5: Sanction based on Request of foreign Country

1. If name of any person, entity or organization is placed on the sanctions list of a foreign country, the Ministry of Foreign Affairs shall forward the request to the National Security Council to decide upon after receipt of such request.
2. If the National Security Council decides to grant the request referred to in Paragraph 1 of this Article, the requirements of the Article 3 of this Procedure shall apply.
3. In the case of application of Paragraph 2 of this Article, the Attorney General Office should publish in a news paper of mass circulation the order of freezing/ unfreezing of funds and properties.
4. The Ministry of Foreign Affairs shall communicate the decision of the National Security Council and actions taken by the Attorney General Office and the Financial Intelligence Unit to the requesting country through diplomatic channels.

Article 6: Objection to decision of a foreign Country for designating a persons or entity

1. If a person or entity who has designated by decision of a foreign country intends to object such decision, the person or entity shall submit an application to the Ministry of Foreign Affairs together with all necessary documents.
2. The Ministry of Foreign Affairs is required to convey the objection referred to in Paragraph 1 of this Article to the relevant country through diplomatic channel.

Article 7: Domestic Designation

1. The National Security Council shall add a person, entity or organization to the domestic designation list pursuant to Article 5 of the Freezing Terrorist Assets Regulations.
2. In case of listing or delisting a person, entity or organization in national designation list, the National Security Council shall immediately notify the Attorney General Office and the Financial Intelligence Unit.
3. The Attorney General Office shall issue the order of freezing/ unfreezing the fund and assets of the persons referred to in Paragraph 1 of this Article and publish the order in a news paper of mass circulation.
4. The Attorney General Office and the Financial Intelligence Unit shall report in writing to the National Security Council about the identification, freezing and seizure of the funds and prosperities of the persons or organizations whose names placed on the national designation list.

Article 8: Objection to Domestic Designation

Persons or organizations, whose names are placed on the domestic designation list, are authorized to submit to the competent Court their applications for delisting under Article 8 of the Terrorist Assets Freezing Regulation.

Article 9: Access to fund and properties seized under UNSCR 1267 and 1988

Any person, entity or organization who designated under UNSCR 1267 and 1988 may access to funds and properties seized with taking in consideration the provisions of article 16 of the Freezing Terrorist Assets Regulation.

Article 10: Enforcement

This regulation shall come in force up it approval by the Council of Ministers.