

LISTING PROCEDURE UNSCR 1373, UNSCR 1267, UNSCR 1718, AND UNSCR 2231

UNSCR 1373 AND UNSCR 1267

The Minister of Foreign Affairs is responsible for making designations under UNSCRs 1373 and UNSCR 1267. It shall do so based upon recommendations made by the Competent Authority.

The Competent Authority shall initiate recommendations for designations.

The Competent Authority shall consult with the Financial Intelligence Unit, and other relevant authorities, the Police and the Ministry of Foreign Affairs in order to identify targets that it will recommend to the Minister of Foreign Affairs for designation pursuant to UNSCR 1373 and UNSCR 1267.

The Minister of Foreign Affairs, after considering any recommendation of the Competent Authority and upon concluding that sufficient evidence exists, based upon a reasonable ground standard, to support a designation based upon the designation criteria set forth in UNSCR 1267 and/or TF Joint Regulation 2015. This applies both in the case of designations made by Indonesia and to requests made to Indonesia by foreign countries to give effect to their designations.

Any proposal for designation under UNSCR 1373 and UNSCR 1267 shall be made without prior notification to the person or entity being proposed.

Foreign authorities that are seeking action under their own designations should be directed to send their requests to the Minister of Foreign Affairs. If another ministry or office within Indonesia receives such a request, such ministry/office shall immediately notify the Competent Authority of the request. Such other ministry/office shall also advise the foreign authority to make a formal request to the Minister of Foreign Affairs.

The Minister of Foreign Affairs shall immediately forward each request by a foreign authority to give effect to its designation to the Competent Authority with a copy to the FIU.

The Competent Authority shall consider without any delay each foreign request made. It shall immediately consult with relevant Indonesia authorities including the FIU and any other appropriate authority to evaluate the information provided as part of the foreign request. It shall make a decision either that the information is sufficient to conclude, based upon the criteria that apply under UNSCR 1373 and UNSCR 1267, that it should recommend a designation to the Minister of Foreign Affairs or that the information is insufficient. If sufficient, it shall make a recommendation to the Minister of Foreign Affairs shall take official action and communicate that action to the foreign jurisdiction. Given that the action to undertake or reject the freeze request must occur without delay, each of the above steps by the Competent Authority and/or the Minister of Foreign Affairs shall occur on an expedited basis. The designation and/or freeze shall take place in accordance with CFT Law and Joint Regulation 2015

If the Competent Authority concludes that the information is insufficient and/or that there is inadequate support for the designation/freeze at foreign request, it shall advise the Minister of Foreign Affairs who shall immediately notify the foreign state and as necessary request additional information.

The Competent Authority may commence its evaluation of information provided by a foreign authority even before a formal request from the foreign authority is received through the Ministry of Foreign Affairs.

The standard for evaluation of the information provided by the foreign authority by both the Competent Authority and the Minister of Foreign Affairs is whether there are reasonable grounds for a designation.

UNSCR 1718 and UNSCR 2231

The Minister of Foreign Affairs, in consultation with the Competent Authority can propose the designations for the UNSCR 1718 Sanctions List (DPRK Sanctions List) and UNSCR 2231 Sanction Lis (Iran Sanction List) to the United Nations Security Council Committee.