

De - Listing Procedure

UNSCR 1373

A person, a group or entity designated and included in the List may seek revocation of the designation and request removal from the list, by application in that behalf made to the Competent Authority, The application must be in writing and set forth the reasons in support of the submission.

The Competent Authority shall recommend to the Minister the removal of the names of any person, group or entity designated from the List, The decision of the Minister shall be final.

Any person, group or entity aggrieved by the Decision of the Minister, may apply to the District Court seeking to set aside the decision.

Any person affected by the order of freezing or by the prohibition of making available any funds, other financial assets and economic resources or financial or other related services, may apply to the District Court for relief.

Inadvertently affected persons

The Competent Authority may issue a certificate that states that a particular person/entity that has applied to it is not the person on entity designated under CFT Law and Joint Regulation 2015 where the Competent Authority determines that a particular person/entity in being inadvertently affected because of a name match or similarity. The person/entity may use such certificate to avoid or to effect a lifting of a freeze of assets.

UNSCR 1267

Review of delisting requests

The Competent Authority will follow the UN 1267 Committee and UN 1988 Committee guidelines regarding the review of delisting requests, and assist the Committee to the fullest extent possible in any manner requested as listings are being reviewed by the Committee.

UNSCR 2231 & UNSCR 1718

Any designated person or entity in Indonesia may apply to the Competent Authority for assistance in seeking a de-listing by the United Nations Security Council Committee of the designations. The Competent Authority shall forward the request to the Committee and act upon it in a manner consistent with the standards and procedures set out in United Nations Security Council Resolutions that relate to the de-listing of designated persons in terms of UNSCR 2231, 1718 and any subsequent resolutions.

A person or entity claiming that he or it is not a designated person or entity may apply to the Competent Authority requesting the issue of a certificate stating that such person or entity is not the person or entity whose name appears on the Lists of the Committee. The Competent Authority shall, upon making such inquiries as are appropriate in respect thereof and if it is established that the applicant is not a designated person or entity, issue a certificate to the applicant. Where the Competent Authority decides to refuse the issue of such a certificate, he shall communicate his decision to the applicant with the reasons therefore.

Contact

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