

REGULATION

FOR REQUESTING TO INCLUDE OR INCLUDING PERSONS IN THE LISTS PUBLISHED BY OR IN ACCORDANCE WITH THE UNITED NATIONS SECURITY COUNCIL RESOLUTIONS, REQUESTING TO REMOVE OR REMOVING PERSONS FROM SUCH LISTS, UNFREEZING OF PROPERTY, ADDING TO FROZEN PROPERTY, AND AUTHORIZING PAYMENTS FROM FROZEN PROPERTY

Chapter 1. General provisions

1. Within the meaning of these Rules:
 - 1) UNSC — the Security Council of the United Nations.
 - 2) Listing — the inclusion of a person associated with terrorism or proliferation of weapons of mass destruction in the lists published by the UNSC resolutions or by a competent authority in accordance with those resolutions.
 - 3) Delisting — the removal of a listed person from lists published by the UNSC resolutions or by an authorized body in accordance with those resolutions.
 - 4) Domestic List — a list of persons associated with terrorism published by the authorized body in accordance with the UNSC resolutions.
 - 5) Foreign List — a list of persons associated with terrorism published by foreign competent authorities, in accordance with UNSC resolutions.
 - 6) Interagency Committee — the interagency committee on combating money laundering, terrorist financing and proliferation financing established by Decision No. 45-A of the Prime Minister of Republic of Armenia dated 17 January 2019.
2. Other terms used in this Regulation shall have the meanings given in the RA Law “On Combating Money Laundering and Terrorism Financing.”
3. In accordance with the UNSC resolutions, the listing and delisting procedures provided in this Regulation shall be carried out irrespective of existence and outcomes of criminal proceedings in relation to the relevant facts or persons.
4. The matter of existence of grounds for including a person in the lists published by or in accordance with the UNSC resolutions, or for removing a person from such lists, shall, in accordance with the UNSC resolutions be discussed without participation of the person to whom the consideration relates.

5. Any person may challenge decisions made and actions taken pursuant to this procedure in court.

Chapter 2. Regulation for including persons in domestic lists and requesting the inclusion of persons in foreign lists

6. In case information is received indicating possible grounds for including a person in national lists, the authorized body shall initiate an investigation and, within 15 working days, assess the existence of the criteria established by UNSC Resolution 1373 (2001).

7. Within 5 working days from the initiation of the investigation, the authorized body shall send the materials related to the inclusion of the person in the national list to the members of the Interagency Committee, proposing that they provide an advisory opinion on the subject of the investigation within 2 working days and supply any relevant information and documents in their possession.

8. If, based on the results of the investigation, the authorized body concludes that there are reasonable grounds or reasonable basis to suspect or believe that the person meets the criteria set forth in UNSC Resolution 1373 (2001), it shall, within 2 working days, include the person in the national list and publish information about that person on its official website.

9. In the event that the registration or residence address of the person included in the national list is known, the authorized body shall send a notification to the listed person within the prescribed period, which shall contain the following information:

- 1) the grounds for the listing, subject to publication;
- 2) the consequences of the listing;
- 3) the procedure for submitting a delisting application and the contact details of the authorized body;
- 4) the procedure for submitting an application for authorizing payments to be made from frozen property.

10. Information published on persons included in national lists, if available, shall include:

- 1) in the case of individuals — name, surname, patronymic, pseudonym (if any), year, month, and date of birth, citizenship, nationality, gender, profession, place of permanent residence, passport or other identity document details, current and previous addresses, status in current or completed criminal proceedings, location, photograph, biometric data, and a brief description of the listing grounds.
- 2) in the case of legal entities — full and abbreviated name, other names under which the organization has operated, address of the organization, addresses of the head office, branches and representative offices, nature of activity, place of activity, data on members of management bodies, registration number or other identification

data, information on being in the process of liquidation, e-mail address, and a brief description of the listing grounds.

11. In the event of including a person in domestic lists, the authorized body may propose to the competent authority in the field of foreign affairs of the Republic of Armenia to submit a request to the competent foreign authority to include the same person in the foreign lists of that state. The request submitted to the foreign competent authorities must contain the most detailed information possible about the person nominated for listing, including a full description of the facts proving the existence of the grounds for listing provided for in the relevant UNSC resolution.

Chapter 3. Regulation for requesting to include persons in the lists published by the United Nations Security Council resolutions

12. In case information is received indicating possible grounds for including a person in the lists published by the UNSC resolutions, the authorized body shall initiate an investigation and, within 15 working days, assess the existence of the grounds established by UNSC Resolutions 1267 (1999), 1988 (2011), 1718 (2006), 2231 (2015), or their successors.

13. Within 5 working days from the initiation of the investigation, the authorized body shall send the materials related to the inclusion of the person in the lists published by UNSC resolutions to the members of the Interagency Committee, proposing that they provide an advisory opinion on the subject of the investigation within 2 working days and supply any relevant information and documents in their possession.

14. If, based on the results of the investigation, the authorized body concludes that there are reasonable grounds or reasonable basis to suspect or believe that the person meets the criteria set out in UNSC Resolutions 1267 (1999), 1988 (2011), 1718 (2006), 2231 (2015), or their successors, it shall, within 2 working days, apply to the competent authority in the field of foreign affairs of the Republic of Armenia with a proposal to initiate the process, providing the materials related to the inclusion of the person in the lists published by the UNSC resolutions.

15. After receiving the materials related to the inclusion of the person in the UNSC lists, the competent authority in the field of foreign affairs of the Republic of Armenia shall, within 2 working days, submit a request for including the person in the lists to the relevant UNSC committee .

16. The proposal submitted to the UNSC must contain the most detailed information possible about the person nominated for listing, including a full description of the facts proving the existence of the grounds for listing as provided for in the relevant UNSC resolution. In the case of submitting a request to include a person in the lists published by the UNSC resolutions, the competent authority in the field of foreign affairs shall also present a position on the

necessity not to publish the fact that the request to include the person in the list was submitted by the Republic of Armenia.

Chapter 4. Regulation for removing persons from national lists

17. In case information is received indicating possible grounds for removing a person from national lists, the authorized body shall initiate an investigation and, within 15 working days, assess the absence of the criteria established by UNSC Resolution 1373 (2001).
18. The listed person, or their legal successor in the event of the death or dissolution of the listed person, may submit information on possible grounds for removing a person from national lists to the authorized body by means of an application provided in Form 1 of Annex 2. If the application is incomplete or incorrectly filled out, the authorized body shall return it to the applicant within 5 working days, indicating the existing deficiencies, which shall not deprive the person of the opportunity to resubmit the application.
19. The legal successor of the person is obliged to submit documents confirming their status along with the application. The listed person or their legal successor shall submit other documents necessary for the examination of the application along with it. During the examination of the application, the authorized body may request additional documents and information from the person who submitted the application, during which the investigation period shall be suspended.
20. Within 5 working days from the initiation of the investigation, the authorized body shall send the materials related to the removal of the person from the national lists to the members of the Interagency Committee, proposing that they provide an advisory opinion on the subject of the investigation within 2 working days and supply relevant information and documents in their possession.
21. If, based on the results of the investigation, the authorized body concludes that there are no reasonable grounds or reasonable basis to suspect or believe, that the person meets the criteria set forth in the UNSC Resolution 1373 (2001), or if the authorized body determines that the listed person has died or has been dissolved, it shall, within 2 working days, remove the person from the national list within 2 working days and publish the revised list on its official website.
22. If the person has been removed from the national lists based on an application, the authorized body shall, in parallel with the publication of the revised list, send a notification on the removal of the person from the list to the address of the person who submitted the application.

Chapter 5. Regulation for requesting to remove persons from lists published by United Nations Security Council resolutions

23. In case information is received indicating possible grounds for removing a person from the lists published by the UNSC resolutions, the authorized body shall initiate an investigation and, within 15 working days, assess the absence of the criteria established by the UNSC Resolutions 1267 (1999), 1988 (2011), 1718 (2006), 2231 (2015), or their successors.
24. Citizens of the Republic of Armenia, persons with permanent residence status in the Republic of Armenia, and legal entities registered in the territory of the Republic of Armenia, and their legal successors in the event of the death or liquidation of said listed person, may submit information on possible grounds for removing a person from the lists published by the UNSC resolutions to the authorized body in the form of an application to be submitted to the relevant committee of the UNSC. If the application is incomplete or incorrectly filled out, the authorized body shall return it to the applicant within 5 working days, indicating the existing deficiencies, which shall not deprive the person of the opportunity to resubmit the application.
25. The legal successor of the person is obliged to submit documents confirming their status along with the application. The listed person or their legal successor shall submit documents subject to submission to the relevant committee of the UNSC along with the application, as well as other documents necessary for the examination of the application. During the examination of the application, the authorized body may request additional documents and information from the person who submitted the application, during which the investigation period shall be suspended.
26. Within 5 working days from the initiation of the investigation, the authorized body shall send the materials related to the removal of the person from the lists published by the UNSC resolutions to the members of the Interagency Committee, proposing that they provide an advisory opinion on the subject of the investigation within 2 working days and supply relevant information and documents in their possession.
27. If, based on the results of the investigation, the authorized body concludes that there are no reasonable grounds or reasonable basis to suspect or believe, that the person meets the criteria established by the UNSC Resolutions 1267 (1999), 1988 (2011), 1718 (2006), 2231 (2015), or their successors, or if the authorized body determines that the listed person has died or has been liquidated, it shall, within 2 working days, apply to the competent authority in the field of foreign affairs of the Republic of Armenia with a proposal to initiate the process of removing the person from the lists published by the UNSC resolutions.
28. After receiving the materials related to the removal of the person from the lists published by the UNSC resolutions, the competent authority in the field of foreign affairs of the Republic of Armenia shall, within 2 working days, submit a request for removing the person from the lists to the relevant UNSC committee for the delisting of that person.

29. The proposal submitted to the UNSC must include a full description of the circumstances demonstrating the absence of grounds provided by the relevant UNSC resolution for listing.

Chapter 6. Regulation for unfreezing the property

30. The authorized body shall immediately lift the freezing of assets in the following cases:
- 1) when a person is removed from the lists published by the UNSC resolutions or from the national lists;
 - 2) when assets have been frozen by mistake, including due to a matching or similar name or designation.
31. A person removed from the lists, or their legal successor in the event of the death or liquidation of the listed person, as well as the owner of the property in cases where the property was frozen by mistake, may submit information on the possible grounds for lifting the freeze to the authorized body by means of an application provided in Form 1 of Appendix 2. If the application is incomplete or incorrectly filled out, the authorized body shall return it to the applicant within 5 working days, indicating the existing deficiencies, which shall not deprive the person of the opportunity to resubmit the application.
32. The legal successor of a person is obliged to submit documents confirming their status along with the application. The person removed from the lists, their legal successor, or the owner of the frozen property may submit other documents necessary for the examination of the application along with it. The authorized body may request additional documents and information from the person who submitted the application during the examination process.
33. The authorized body shall send a notification about the results of the examination of the application to the address provided by the person who submitted the application, within 15 working days after receiving it.
34. In case a decision is made to lift the freezing of property, the authorized body shall attach a copy of the decision to the notification sent to the address of the person who submitted the application. The decision shall also be sent to the persons who carried out the freezing within the territory of the Republic of Armenia and who are known to the authorized body.

Chapter 7. Regulation for authorizing payments from frozen property and adding to frozen property

35. In case information is received on the grounds for authorizing payments to be made from the frozen property of a person included in the lists of persons related to terrorism published by the UNSC resolutions or in the domestic lists, the authorized body shall initiate

an investigation and, within 15 working days, assess the existence of the grounds established by the UNSC Resolutions 1718 (2006) and 2231 (2015), or United Nations Security Council Resolution 1452 (2002) and its successors.

36. The listed person may submit information on the possible grounds for authorizing payments to be made from frozen property to the authorized body by means of an application provided in Form 2 of Annex 2. If the application is incomplete or incorrectly filled out, the authorized body shall return it to the applicant within 5 working days, indicating the existing deficiencies, which shall not deprive the person of the opportunity to resubmit the application.

37. The listed person may submit documents necessary for the examination of the application together with the application. The authorized body may request additional documents and information from the person who submitted the application during the examination process.

38. If, based on the results of the investigation, the authorized body concludes that there are grounds for authorizing payments from frozen property as defined in the UNSC Resolutions 1718 (2006) and 2231 (2015), or the UNSC Resolution 1452 (2002) and its successors, it shall draw up a conclusion on authorizing payments from frozen property. The conclusion shall contain information on the location, composition, and amount (value) of the property to which access is permitted, the procedure and method of provision, and the purpose of use.

39. The authorized body shall send a notification on the results of the examination of the application to the address provided by the person who submitted the application, within 15 working days after receiving it.

40. In case of a positive conclusion on allowing payments to be made from the frozen property of a person included in the national lists, the authorized body shall attach the conclusion to the notification sent to the address of the person who submitted the application. The conclusion shall also be sent to the persons who carried out the freezing within the territory of the Republic of Armenia and who are known to the authorized body, in order to ensure access to the property specified in the conclusion. Information on the implementation of the transaction shall be submitted to the authorized body within 5 working days after its execution.

41. In case of a positive conclusion on allowing payments to be made from the frozen property of a person included in the lists published by the UNSC resolutions, the authorized body shall immediately send the conclusion to the competent authority in the field of foreign affairs of the Republic of Armenia, proposing to notify the relevant UNSC committee of the intention to allow payments against the frozen assets.

42. After receiving the conclusion of the relevant UNSC committee, or after the expiry of the preliminary notification period, the competent authority in the field of foreign affairs of the

Republic of Armenia shall immediately notify the authorized body. The authorized body shall then notify the person who submitted the application of the results, and in the case of authorizing payments to be made from the frozen property of a person included in the lists published by the UNSC resolutions, also notify the persons who carried out the freezing within the territory of the Republic of Armenia and who are known to the authorized body.

43. In the event that payments are made from the frozen property of a person included in the lists published by the UNSC resolutions, the authorized body, after receiving information on the transaction from the person who carried out the freezing, shall transmit this information to the competent authority in the field of foreign affairs of the Republic of Armenia with a proposal to send a notification to the relevant UNSC committee.

44. Interest or other income accrued on account balances, or payments received under contracts or agreements concluded, or obligations incurred before the accounts were frozen, may be credited to accounts of frozen property of persons included in the lists published by UNSC resolutions without the need to obtain authorization from the authorized body, provided that the deposited funds remain frozen.

Template No 1**Application****For removing from national lists or unfreezing of property****1. Subject of Application**

Subject of Application
☐ Removing from lists
☐ Unfreezing of property

2. Information on the Listed Person**1) For Natural Persons**

Name, surname, patronymic, pseudonym (as included in the list)	
ID number, date of issue, issuing body	
Date of birth	
Place of birth (city, region, country)	
Citizenship	
Nationality	
Gender	
Profession	
Registration (residence) address	
Other information	

2) For Legal Persons

Name (as included in the list)	
--------------------------------	--

Short name or abbreviation, other names	
Registration number	
Addresses of the head office, branches and representative offices	
Nature of activity	
Place of activity	
Managing bodies, contact details of their members	
E-mail address	
Other information	

3. Information on the Legal Successor submitting the Application

1) For Natural Persons

(filled in where the listed natural person is deceased)

Name, surname	
Number of the identity document, date of issue, issuing body	
Date of birth	
Place of birth (city, region, country)	
Citizenship	
Registration (residence) address	
Death certificate information	
Other information	

2) For Legal Persons

(filled in where the listed legal person has ceased existing)

Name	
Short name or abbreviation, other names	
Registration number	

Addresses of the head office, branches and representative offices	
Nature of activity	
Place of activity	
Managing bodies, contact details of their members	
Data from the document confirming the fact of the cessation of the existence of the legal entity	
Other information	

4. Description of frozen property

A detailed description of the frozen property, if the application concerns the lifting of the freeze on the property.

5. Previously submitted applications

Details of other previously submitted applications to remove from the list or lift the asset freeze (date of submission, submitting person, progress and results of the review)

6. Application rationale

Justifications for the need to remove the person from the list or lift the asset freeze

7. List of attached documents

Document name and number of pages
• •

8. Application submission details

Number of the published list and the person's number on the list	
Date of submission of the application	
Address for sending notifications	
Signature of the person submitting the application	

Application

On authorizing payments from the frozen property of persons included in the lists published by United Nations Security Council resolutions or the national lists

1. Subject of Application

Type of expense for which payment from frozen assets is requested
☐ Necessary basic expenses, in particular: ○ Food expenses ○ Rent expenses ○ Mortgage expenses ○ Medicine and medical expenses ○ Tax payments ○ Insurance premium payments ○ Utility payments ○ Professional, including legal, services ○ Costs related to the storage and maintenance of frozen property ☐ Necessary extraordinary expenses, in particular: (brief description of necessary extraordinary expenses) ☐ Payments for contractual obligations, in particular. (brief description of payments)

2. Information about the listed person

1) For Natural Persons

Name, surname, patronymic, pseudonym (as included in the list)	
ID number, date of issue, issuing body	
Date of birth	

Place of birth (city, region, country)	
Citizenship	
Nationality	
Gender	
Profession	
Registration (residence) address	
Other information	

2) For Legal Persons

Name (as included in the list)	
Short name or abbreviation, other names	
Registration number	
Addresses of the head office, branches and representative offices	
Nature of activity	
Place of activity	
Managing bodies, contact details of their members	
E-mail address	
Other information	

3. Characteristics of the requested payment from frozen property

Detailed characteristics of the requested payment from the frozen property
Recipient (name and address) _____ Recipient's bank details (bank name, bank address and account number)_____ _____

Amount to be paid
Payment method (bank transfer/direct debit)
Other information

4. Previous applications to authorize payments from frozen property

Details of other previously submitted applications for authorizing payments from frozen property of the same person (date of submission, person submitting, progress and results of the review)

5. Justification for allowing payments from frozen property

Justification for allowing payments from the frozen property
--

6. List of attached documents

Document name and number of pages
• •

7. Application submission details

Published list number, person's number on the list	
Date of application submission	
Address for sending notifications	
Signature of the person submitting the application	

