



MINISTRY OF FOREIGN AFFAIRS AND FOREIGN TRADE

TELEPHONE:
(876) 926 4416-8
(876) 926 4220
Facsimile:
(876) 929 6733

21 DOMINICA DRIVE
P.O. BOX 624
KINGSTON 5
JAMAICA

TPA GUIDANCE SERIES

DELISTING PROCEDURES UNDER THE TERRORISM PREVENTION ACT

1. Overview

- 1.1. In order to promote international cooperation in the fight against terrorism, The United Nations (UN) imposes certain sanctions through Resolutions passed by the UN Security Council (UNSC). All UN Member States are required to give effect to them. When a person is listed as a terrorist entity by the UN Security Council, Jamaica implements these sanctions through designating these persons as 'listed entities' pursuant to section 14 (1) (a) of the Terrorism Prevention Act (TPA).
- 1.2. Jamaica also has a domestic regime where it may designate a person or entity who meets the criteria set out in UNSC 1373. These listings are done pursuant to Section 14 (1) (b) of the TPA.
- 1.3. Under the TPA, once a person or entity becomes a listed entity, certain prohibitions relating take effect place. These include asset freezes. If you and/or your organisation have been designated as a listed entity under the TPA and are subject to financial sanctions, there are a number of means through which you can challenge your listing.

2. Delisting in respect designation as a terrorist entity by the UNSC [s14 (1) (a) TPA]

2.1. If you have been designated pursuant to a UN list then in keeping with Section 14A (1) (a) of the TPA, you can challenge your listing and request to be removed from the list (delisted). For listings under the ISIL (Da'esh) and Al-Qaida sanctions regime, you or your legal representative on your behalf may submit a petition for delisting ***directly*** to the UN Office of the Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee. The procedures to be followed and more information about the Office of the Ombudsperson may be found on the UN's website <https://www.un.org/securitycouncil/ombudsperson/application>. You should send your request to the following addresses:

Office of the Ombudsperson
Room DC2 2206
United Nations
New York, NY 10017
United States of America
Tel: +1 212 963 2671
E-mail: ombudsperson@un.org

2.2. If you have been listed pursuant to any other UN sanctions regime, you should send your request to the UN focal point for delisting. The procedures to be followed and more information about the focal point is available on the UN's website <https://www.un.org/securitycouncil/sanctions/delisting/delisting-requests>. You should send your request to the following addresses:

Focal Point for De-listing
Security Council Subsidiary Organs Branch
Room DC2 2034
United Nations
New York, N.Y. 10017
United States of America
Tel. +1 917 367 9448
Fax. +1 212 963 1300
Email: delisting@un.org

2.3. If you are a Jamaican national or resident, then in keeping with Section 14A (1) (b) of the TPA, you may choose instead to submit your application to the Minister of Foreign Affairs and Foreign Trade, Jamaica for the Minister to transmit the request to the UN. The Ministry must provide the information required by Guideline 7 of The ISIL (Da'esh) and Al-Qaida Sanctions Committee available [here](#). Be sure to include as much information in your application to the Minister as the Minister may decline to transmit a request if it does not meet the UN requirements. For further information on this process you may write to the Ministry at the following address:

Legal Unit
Ministry of Foreign Affairs and Foreign Trade
21 Dominica Drive
Kingston 5
Email: luassistant@mfaft.gov.jm

3. Delisting in respect designation under Jamaica's domestic regime [s14 (1) (b) TPA]

3.1. If you have been designated as a terrorist entity under Jamaica's domestic regime as explained at 1.2 above, then you may challenge your listing by applying to a Judge in the Supreme Court for a review of the Order within 60 days of the date of publication of the Order. The process for delisting is outlined at Section 14 (6) to 14 (9) of the TPA.

THE PURPOSE OF THE TPA GUIDANCE SERIES IS TO INCREASE THE AWARENESS OF THE PUBLIC TO CERTAIN ASPECTS OF JAMAICA'S TERRORISM PREVENTION FRAMEWORK. IT IS FOR INFORMATION PURPOSES ONLY AND NOTHING IN THIS DOCUMENT SHALL BE CONSTRUED AS LEGAL ADVICE. IF YOU HAVE BEEN DESIGNATED AS A LISTED ENTITY OR NEED ANSWERS TO SPECIFIC LEGAL QUESTIONS YOU SHOULD SEEK LEGAL ADVICE FROM A QUALIFIED ATTORNEY-AT-LAW.