



FORMAL ORDER



IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

CLAIM NO.

SU2023 CV:01342

IN THE MATTER of an application under section 14(1)(a) of the **Terrorism Prevention Act**

AND

IN THE MATTER of an application by the Director of Public Prosecutions for an Order in accordance with section 14(4) of the **Terrorism Prevention Act** to add a listed entity designated as a terrorist entity under the **Terrorism Prevention Act** in keeping with a decision of the United Nations Security Council

AND

IN THE MATTER of an application by the Director of Public Prosecutions for an Order to ADD: QDi.434 Name: 1. MAULAWI 2. RAJAB 3. na 4: na QDi.435 Name: 1. SULTAN AZIZ 2. AZAM 3. na 4: na as a listed entity in keeping with the decision of the United Nations Security Council pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da' esh), Al-Qaida and associated individuals, groups, undertakings and entities

BETWEEN THE DIRECTOR OF PUBLIC PROSECUTIONS
AND MAULAWI RAJAB
AND SULTAN AZIZ AZAM

APPLICANT
DEFENDANT
DEFENDANT

IN CHAMBERS #

BEFORE THE HONOURABLE

Mrs. Justice S. Jackson - Haisley

THIS 27th Day of April 2023,

UPON THE HEARING OF THE FIXED DATE CLAIM FORM filed by the Director of Public Prosecutions and dated 27th April, 2023 and coming up for hearing this day and upon hearing Counsel for the Applicant, *Ms. Alice Ann Crabbidon* as instructed by the Office of the Director of Public Prosecutions.

IT IS HEREBY ORDERED THAT:

1. In accordance with section 14 (10) (a) of the Terrorism Prevention Act, QDi.434 Name: 1. MAULAWI 2. RAJAB 3. na 4: na and QDi.435 Name: 1. SULTAN AZIZ 2. AZAM 3. na 4: na designated as terrorist entity by the United Nations Security Council and whose information were added to the United Nations Sanctions List under Reference Number SCA 2/23 (06) dated April 26, 2023 and are hereby declared as listed entities for the purposes of the Terrorism Prevention Act:
2. In accordance with section 6 (1) of the **Terrorism Prevention Act**, no person in Jamaica or no Jamaican in or outside of Jamaica shall knowingly:
 - a. deal directly or indirectly with any property that is owned or controlled by or on behalf of the above listed individual/entity.
 - b. enter into or facilitate, directly or indirectly, any transactions in respect of that property that is owned or controlled by on behalf of the above-mentioned listed individual/entity.
 - c. provide any financial or related services in respect of that property that is owned or controlled by or on behalf of the above-mentioned listed individual/entity.
 - d. Convert any property owned or controlled by or on behalf of the below mentioned entities or take any steps to conceal or disguise that property is owned or controlled by or on behalf of the above-mentioned listed individual/entity.

3. This Order relates to 2023:

QDi.434 Name: 1. MAULAWI 2. RAJAB 3. na 4: na and QDi.435 Name: 1. SULTAN AZIZ 2. AZAM 3. na 4: na whose details are contained in UN document SCA/2/23 (06) dated April 26, 2023 and remain in effect except or until an Order is made by the Court for any exemption in accordance to section 14 (B) or 14(C) of the Terrorism Prevention Act or otherwise revoked or modified.

4. The Applicant's attorney is to prepare, file and serve a copy of this Order along with a copy of UN document SCA/2/23 (06) dated April 26, 2023, issued by the United Nations Security Council Sanctions List Committee on all relevant authority and financial institutions.

BY THE COURT


.....
JUDGE OF THE SUPREME COURT



EXTRACTED by THE DIRECTOR OF PUBLIC PROSECUTIONS whose address for service is Public Buildings (West), King Street in the city and parish of Kingston, telephone number (876) 922 -6321-5, fax (876) 922-4318.

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United Nations  **Nations Unies**

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REFERENCE: SCA/2/23 (06)

The Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities presents her compliments to the Permanent Representatives and Observers to the United Nations and wishes to convey the following:

On 26/04/2023, the Committee enacted the **addition** of the entries specified below to its Sanctions List of individuals and entities subject to the assets freeze, travel ban and arms embargo set out in Security Council resolution 2610 (2021) and adopted under Chapter VII of the Charter of the United Nations.

A. Individuals

QDi.434 Name: 1: MAULAWI 2: RAJAB 3: na 4: na
Name (original script): na
Title: na **Designation:** na **DOB:** 1976 **POB:** Afghanistan **Good quality a.k.a.:** Maulawi Rajab Salahudin **Low quality a.k.a.:** na **Nationality:** Afghanistan **Passport no:** na **National identification no:** na **Address:** Paghman District, Kabul Province, Afghanistan **Listed on:** 26 Apr. 2023 **Other information:** Senior leader of the Islamic State in Iraq and the Levant - Khorasan (ISIL - K) (QDe.161). INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals> click here.

NARRATIVE SUMMARY

QDi.434 Maulawi Rajab

Date on which the narrative summary became available on the Committee's website: 26 April 2023

Maulawi Rajab was listed on 26 April 2023 pursuant to paragraphs 2 and 4 of resolution 2610 (2021) as being associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with,

under the name of, on behalf of, or in support of” the Islamic State in Iraq and the Levant - Khorasan (ISIL-K) (QDe.161).

Additional information:

Maulawi Rajab is a senior leader of ISIL-K. He plans ISIL-K’s attacks and operations and commands ISIL-K groups conducting attacks in Kabul, Afghanistan.

Related listed individuals and entities:

Islamic State in Iraq and the Levant - Khorasan (ISIL - K) (QDe.161), listed on 14 May 2019

Sanauallah Ghafari (QDi.431), listed on 21 December 2021

QDi.435 Name: 1: SULTAN AZIZ 2: AZAM 3: na 4: na
Name (original script): na
Title: na **Designation:** na **DOB:** 1985 **POB:** Afghanistan **Good quality a.k.a.:** na **Low quality a.k.a.:** na **Nationality:** Afghanistan **Passport no:** na **National identification no:** na **Address:** Afghanistan **Listed on:** 26 Apr. 2023 **Other information:** Spokesperson of the Islamic State in Iraq and the Levant - Khorasan (ISIL - K) (QDe.161). INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals> click here.

NARRATIVE SUMMARY

QDi.435 Sultan Aziz Azam

Date on which the narrative summary became available on the Committee’s website: 26 April 2023

Sultan Aziz Azam was listed on 26 April 2023 pursuant to paragraphs 2 and 4 of resolution 2610 (2021) as being associated with ISIL or Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of”, and “recruiting for” the Islamic State in Iraq and the Levant - Khorasan (ISIL-K) (QDe.161).

Additional information:

Sultan Aziz Azam has held the position of ISIL-K’s spokesperson since ISIL-K first established itself in Afghanistan in 2015.

As ISIL-K’s spokesperson, Azam has played an instrumental role in spreading ISIL’s violent jihadi ideology, glorifying and justifying terrorist acts. Building on his former experience as an Afghan journalist, his activity as ISIL-K’s spokesperson has increased ISIL-K’s visibility and influence among its followers. His numerous statements and other

propaganda activities have encouraged the recruitment of new members, and the perpetration of terrorist acts on behalf of the organization.

On August 26, 2021, Azam claimed responsibility on behalf of ISIL-K for the suicide attack near Hamid Karzai International Airport, which killed at least 170 Afghans and 13 United States service members and injured 150 more. In his statement, Azam provided details of the attack, including that ISIL-K emir Sanaullah Ghafari (QDi.431) had supervised its execution.

On March 2, 2021, ISIL-K claimed responsibility for the assassination of three female journalists. The day after their assassination, the ISIL-K news channel Akhbar Wilayah Khorasan circulated a message from Azam entitled, "We are the People of Action." In the message, Azam claimed the killing of the three female journalists on behalf of ISIL-K was in retaliation for the Afghan government's alleged destruction of several ISIL-K populated villages, which reportedly led to the death of women and children. He also stated that these three women were targeted because the Afghan government intended to repatriate captured foreign ISIL-K members to their countries of origin.

On August 3, 2020, ISIL-K claimed responsibility for an attack on a prison in Jalalabad, during which 29 people were killed and 50 others injured. After the attack, ISIL-K's media outlet released a 20-minute audio message in which Azam provided details on the execution of this attack, highlighting that a suicide bomber detonated an explosives-laden vehicle at the gate of the prison while members of the group entered the jail and freed hundreds of prisoners. He also provided details on the profiles of the assailants and justified the attack saying that the assault was in keeping with a promise by Sanaullah Ghafari to release the group's members who were in prison.

Azam's propaganda activities have supported ISIL-K in recruiting and inspiring its members to carry out high-profile attacks in Afghanistan. He has written several books and articles narrating stories about jihadists in order to inspire people to join the organization ranks. Excerpts and anecdotes from his books are often shared by supporters on the messaging app Telegram.

Related listed individuals and entities:

Islamic State in Iraq and the Levant - Khorasan (ISIL - K) (QDe.161), listed on 14 May 2019

Sanaullah Ghafari (QDi.431), listed on 21 December 2021

The names of individuals and entities on the ISIL (Da'esh) and Al-Qaida Sanctions List pursuant to a decision by the Committee may be found in the "Press Releases" section on the Committee's website:

<https://www.un.org/securitycouncil/sanctions/1267/press-releases>

To obtain a fully updated version of the List, Member States are encouraged to consult, on a regular basis, the Committee's website at the following URL: https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list. The Sanctions List is available in HTML, PDF and XML format and is updated regularly on the basis of relevant information provided by Member States and international and regional organizations.

The United Nations Security Council Consolidated List is also updated following all changes made to the ISIL (Da'esh) and Al-Qaida Sanctions List. An updated version of the Consolidated List is accessible via the following URL: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>.

In accordance with paragraph 19 of resolution 1526 (2004), the Secretariat automatically conveys updates of the ISIL (Da'esh) and Al-Qaida Sanctions List to States, regional and sub-regional organizations by e-mail shortly following the postings of such updates on the Committee's website. Member States are invited to submit any updated or new information for this purpose to the Secretariat by e-mail to: SC-1267-Committee@un.org. The Committee encourages all States to allow implementation of updates of the ISIL (Da'esh) and Al-Qaida Sanctions List based on e-mails, soft-copy notices, or website postings.

26 April 2023

