



SECRETARÍA DE HACIENDA Y CRÉDITO PÚBLICO
COMISIÓN NACIONAL DE SEGUROS Y FIANZAS

México, D.F., 31 de mayo de 2004

OFICIO CIRCULAR SF- 35/04

ASUNTO: Se da a conocer lista en la que se hace mención a la designación y congelación de los activos a cinco sucursales de Al-Haramain Islamic Foundation, así como a su líder Aqeel Abdul Aziz Al Aqil, persona presuntamente asociada con la comisión de actos terroristas.

**A LAS INSTITUCIONES Y SOCIEDADES MUTUALISTAS
DE SEGUROS E INSTITUCIONES DE FIANZAS**

La Secretaría de Hacienda y Crédito Público, Subsecretaría de Hacienda y Crédito Público, Dirección General de Seguros y Valores, Dirección General Adjunta de Normatividad y Coordinación Sectorial, mediante oficio 366-III-E-1102 de 14 del actual, con fundamento en el artículo 36 de su Reglamento Interior, solicita a esta Comisión dé a conocer a esas instituciones y sociedades, la lista en la que se hace mención a la designación y congelación de los activos a cinco sucursales de Al-Haramain Islamic Foundation, así como a su líder Aqeel Abdul Aziz Al Aqil, persona presuntamente asociada con la comisión de actos terroristas, la cual se agregará a la Resolución 1267 del Consejo de Seguridad de las Naciones Unidas, lista que fue remitida por la Embajada de los Estados Unidos de América.

Por lo expuesto, se anexa al presente la lista de que se trata, la cual se da a conocer en su versión original en idioma inglés, solicitándoles lo siguiente:

1. Reporten, por conducto de esta Comisión, a la Unidad de Inteligencia Financiera en términos de la regulación aplicable, aquellas transacciones que pudieran estar relacionadas con las personas señaladas en la lista de referencia.


2. En virtud de que dichas personas están vinculadas con actividades terroristas, actualizar las hipótesis previstas en nuestra regulación aplicable para prevenir y detectar operaciones de lavado de dinero que fueran consideradas como inusuales, en términos de las Disposiciones de Carácter General a que se refieren los artículos 140 de la Ley General de Instituciones y Sociedades Mutualistas de Seguros y 112 de la Ley Federal de Instituciones de Fianzas.
3. Permanezcan atentas a cualquier requerimiento de esta Comisión.

Lo anterior se hace de su conocimiento con fundamento en los artículos 108 fracción IV de la Ley General de Instituciones y Sociedades Mutualistas de Seguros, 68 fracción VI de la Ley Federal de Instituciones de Fianzas y de conformidad con el Acuerdo por el que la Junta de Gobierno de la Comisión Nacional de Seguros y Fianzas delega en el presidente la facultad de emitir las disposiciones necesarias para el ejercicio de las facultades que la ley le otorga a dicha Comisión, y para el eficaz cumplimiento de la misma y de las reglas y reglamentos, emitido el 2 de diciembre de 1998 y publicado en el Diario Oficial de la Federación el 4 de enero de 1999.

Atentamente
SUFRAGIO EFECTIVO. NO REELECCIÓN.
COMISION NACIONAL DE SEGUROS Y FIANZAS
El Presidente


LIC. MANUEL S. AGUILERA VERDUZCO

 ANEXO

NAMES OF ENTITIES

AHF in Afghanistan

AHF in Albania (Last known address):

Irfan Tomini Street, #58
Tirana, Albania

Phone 355-04-234-637

AHF in Bangladesh:

House 1, Road 1, S-6
Uttara, Dhaka
Bangladesh

AHF in Ethiopia (Last known address):

Woreda District 24 Kebele Section 13
Addis Abbaba, Ethiopia

AHF in the Netherlands:

Operating under the name: "Stichting Al Haramain
Humanitarian Aid"

Jan Hanzenstraat 114, 1053SV

Amsterdam, The Netherlands

Phone 020-618-2645

NAME OF INDIVIDUAL

Aqeel Abdulaziz Al-Aqil:
DOB 29 APR 1949

BEGIN TALKING POINTS:

-- On April 27, the United States intends to designate domestically and freeze the assets of five branch offices of the Al-Haramain Islamic Foundation and of Al-Haramain's former leader, Aqeel Abdul Aziz Al Aqil.

-- The above-mentioned names have engaged in activities on behalf of and in support of al Qaida. Therefore, on April 29 the United States intends to request that the UN 1267 Sanctions Committee add their names to its consolidated list of entities/individuals subject to sanctions (including asset freeze) that UN member states are obligated to implement pursuant to relevant UNSC Resolutions, including 1267, 1333, and most recently, 1526. Saudi Arabia intends to join us in submission of the branches.

-- The Al-Haramain branch offices in Bosnia, Somalia, Indonesia, Kenya, Tanzania, and Pakistan are already included in the UN 1267 Committee's consolidated list, along with an a/k/a of the Bosnian office, Vazir (or "Vezir").

-- The United States and Saudi Arabia have been working together to identify individuals and organizations providing support to terrorists. We agree there is compelling information indicating that branch offices of the Al-Haramain Islamic Foundation, headquartered in Riyadh, Saudi Arabia, and personnel located in foreign jurisdictions operating on behalf of Al-Haramain, have been corrupted to support terrorism.

-- We ask your government to support our joint action with Saudi Arabia by taking immediate and effective measures, similar to our own, to freeze the assets of the entities we intend to designate on April 29, and to support the U.S. action on the individual we intend to designate on April 29.

-- Because Al-Haramain's international operations activities range from formal branch office structures to single individuals rotating in and out of countries under the auspices and authority of Al-Haramain, we can not provide the traditional identifying information in every case.

-- We urge you, however, to check carefully for offices or

financial assets in your country that belong to the Al-Haramain Islamic Foundation, based in Riyadh, Saudi Arabia, and ensure that steps are taken to prevent individuals from using the name or authority of Al-Haramain to provide financial or logistical support to al Qaida and other terrorists.

-- UN Security Council resolutions on al Qaida/Taliban sanctions (e.g, UNSCRs 1267, 1390 and 1526) and Resolution 1373 respectively call on all UN Member States to freeze the assets of designated terrorists and to suppress terrorism financing generally.

-- We hope you will share with us information concerning any actions that you undertake, including the blocking of assets. In addition, we would welcome any information that you would like to share with us regarding the activities of these entities in your country.

-- To avoid the flight of assets that might otherwise become subject to freezing, we urge you not to disclose publicly or privately the pending designations and to carefully restrict discussion and management of this issue until the asset freeze is publicly announced by the United States.

-- We appreciate the close cooperation between our governments in this effort and your willingness to forego any public announcement or discussions of this action until after it is announced in the United States.

END TALKING POINTS

Begin Background Paper

DESIGNATION OF AL-HARAMAIN ISLAMIC FOUNDATION BRANCH OPERATIONS

As the latest in our actions in the war on terrorist financing, the United States is designating five branch offices of the Al-Haramain Islamic Foundation (Al-Haramain) and its former leader, Aqeel Abdulaziz Al-Aqil. Saudi Arabia will be jointly submitting these branches to the United Nations' 1267 Sanctions Committee for addition to the consolidated list of terrorists tied to al-Qaida, Usama bin Laden and the Taliban. These branch operations and Aqeel Abdulaziz Al-Aqil, through his control of Al-Haramain, have provided financial, material, and/or logistical support to the al Qaida network and other terrorist organizations.

On March 11, 2002, the United States and Saudi Arabia initiated joint public efforts against terrorist support networks by designating and blocking the funds of the Somalia and Bosnia-Herzegovina branches of Al-Haramain, based on evidence that these branches were diverting charitable funds to terrorism. In 2003, the Saudi government ordered Al-Haramain to close all of its overseas branches. Al-Haramain stated it did close several branches. But continued monitoring by the United States and Saudi Arabia has indicated that some branches, and/or former officials associated with these branches, were either continuing to operate or had other plans to avoid these measures. Actions by the Bosnia-Herzegovina branch, added to the UN 1267 Sanctions Committee's list in March 2002, to reconstitute itself and continue operations under the name, "Vazir," is one example. Similarly, the Indonesian branch also sought to operate under an alias.

To counter these and other efforts to evade scrutiny and sanctions, on December 22, 2003, the United States and Saudi Arabia announced the designation of Vazir, as an alias for the Al-Haramain branch in Bosnia-Herzegovina. On January 22, 2004, the U.S. and Saudi Arabia announced the designation of Al-Haramain branches in Indonesia, Kenya, Tanzania, and Pakistan. The Saudi Arabian government made it clear to host countries that these branch offices should not be considered Saudi entities and should be treated appropriately under local law and under applicable UN Security Council resolutions.

Our intent to designate five additional branches and the former Al-Harman leader is the result of ongoing investigations to ensure that Al-Haramain's organizational structure cannot be used to support terrorism.

Based upon the following information and additional classified material, we are designating Aqeel Abdulaziz Al-Aqil and the branches/operations of Al-Haramain located in:

- Afghanistan
- Albania
- Bangladesh
- Ethiopia
- The Netherlands

We are aware that formal operations of Al-Haramain in branches located in Afghanistan, Albania and Ethiopia may have been closed down largely through the efforts of the host governments and/or Saudi Arabia. At the same time, however, there is a need to monitor and ensure that any remaining assets of the closed branches are not diverted, but frozen and prevented from being used to support terrorism. To that end, and under asset-freezing measures called for by UNSCRs 1267/1390/1526 (the al Qaida/Taliban sanctions) and UNSCR 1373 these countries are being asked to locate and freeze any assets belonging to an entity or individual operating under the authority or auspices of the Al Haramain Islamic Foundation based in Riyadh, Saudi Arabia. Information in the possession of the U.S. government indicates that the former leader of Al-Haramain, Aqeel Abdulaziz Al-Aqil, and the Al-Haramain branches noted above have provided financial, material and/or technological support to Usama bin Laden's (UBL's) al Qaida network and other designated terrorist organizations. Some reports indicate that Al-Aqil is still in a position to control or influence Al-Haramain.

This individual and these entities are subject to designation under U.S. Executive Order 13224 pursuant to section (d)(i) and (d)(ii) based on a determination that:

- they assist in, sponsor or provide financial, material, or technological support for such acts of terrorism or those persons listed in the Annex to E.O. 13224;

--they provide financial or other services to or in support of such acts of terrorism or those persons listed in the Annex to E.O. 13224; or

--they are otherwise associated with persons listed as subject to E.O. 13224.

Because these targets provided support to UBL, al Qaida, and/or the Taliban, this individual and these branches also meet the standard for inclusion in the United Nations' 1267 Sanctions Committee's consolidated list. Inclusion in the 1267 Sanctions Committee's list triggers national and international obligations on all member countries, requiring them to freeze the assets of these offices - which have been used to provide material, financial, or technological support for designated terrorists - and prevent funds being made available to them, in effect forcing the offices to cease operations. Publicly identifying these supporters of terrorism is a critical part of the international campaign to counter terrorism. Additionally, other organizations and individuals are put on notice they are prohibited from doing business with them.

Aqeel Abdulaziz Al-Aqil's Control of Al-Haramain

Aqeel Abdulaziz Al-Aqil, a founder and long-time leader of Al-Haramain is a suspected al Qaida supporter. Al-Aqil has been identified as Al-Haramain's Chairman, Director General, and President in a variety of sources and reports. As Al-Haramain's founder and leader, Al-Aqil controlled Al-Haramain and was responsible for all Al-Haramain activities, including its support for terrorism. Information from March 2004 indicated Al-Aqil was reportedly no longer leading Al-Haramain activities; some reports, however, indicate Al-Aqil could still be in a position to exercise control or influence of Al-Haramain.

When viewed as a single entity, Al-Haramain falls into the category of one of the principal Islamic NGO's active throughout the world providing support for the al Qaida network and promoting militant Islamic doctrine worldwide. Under Al Aqil's leadership of Al-Haramain, numerous Al-Haramain field offices and representatives operating throughout Africa, Asia, Europe, and North America appeared to be providing financial and material support to the al Qaida network. Terrorist organizations designated by the U.S. and/or

the 1267 Committee, including Jemaah Islamiyah, Al-Ittihad Al-Islamiya, Egyptian Islamic Jihad, HAMAS, and Lashkar e-Tayyiba, received funding from Al-Haramain and used Al-Haramain as a front for fundraising and operational activities.

Under Al-Aqil's leadership, Al-Haramain implemented its tasks through its offices and representatives spread through more than 50 countries around the world. Al-Haramain maintained nine general committees and several other "active committees" that included the Continuous Charity Committee, African Committee, Asian Committee, Da'wah and Sponsorship Committee, Masjid Committee, Seasonal Projects Committee, Doctor's Committee, European Committee, Internet and the American Committee, the Domestic Committee, Zakaat Committee, and the Worldwide Revenue Promotion Committee.

Al-Aqil had control over the activities of Al-Haramain branches supporting terrorism. For example, after the branch office in Bosnia was designated in 2002, it immediately began efforts to avoid these sanctions. Information regarding this office is provided as a reminder of the extent to which Al-Haramain was corrupted. Despite the joint efforts of the United States and Saudi Arabia to designate the al Qaida-affiliated Al-Haramain Bosnia branch office, and the Bosnian government's efforts to close the office in June 2002, all Al-Haramain employees were ordered to avoid cooperating with Bosnian and other authorities. In 2003, Al-Haramain headquarters in Saudi Arabia provided instructions to Al-Haramain in Bosnia for the disposition of Al-Haramain assets. These instructions provided for actions contravening local and international counter terrorism laws and regulations. Al-Aqil was openly defiant, reportedly telling Saudi news media that Al-Haramain's work in Bosnia would continue.

Information available to the U.S. indicates that branches of Al-Haramain have had a long history of supporting the al Qaida network. This information includes the following:

Afghanistan

Al-Haramain has a long history of supporting al Qaida in Afghanistan. In Afghanistan, Al-Haramain supported the cause of Jihad and was linked to the UBL-financed Makhtab al-Khidemat (MK), a pre-cursor organization of al Qaida.

MK has been designated both by the U.S. Government and by the UN 1267 Sanctions Committee. Following the 9-11 terrorist attacks, activities included involvement with a group of persons trained to attack foreigners in Afghanistan. This activity occurred in 2002. A journalist suspected of meeting with al Qaida and Taliban members in Afghanistan was reportedly transferring funds on behalf of the al Qaida-affiliated Al-Haramain, and forwarding videotapes from al Qaida leaders to an Arabic language TV network for broadcast.

Albania

The U.S. has information that indicates UBL may have financed the establishment of the Al-Haramain office in Albania, which has been used as cover for terrorist activity in Albania and in Europe. In late 2000, a close associate of a UBL operative moved to Albania and was running an unnamed Al-Haramain subsidiary. In 1998, the head of Egyptian Islamic Jihad in Albania was reportedly also a financial official for Al-Haramain in Albania. This individual, Ahmed Ibrahim al-Nagar, was reportedly extradited from Albania to Egypt in 1998. At his trial in Egypt, al-Nagar reportedly voiced his support for UBL and al Qaida's August 1998 terrorist attacks against the U.S. embassies in Kenya and Tanzania.

In January 2002, Salih Tivari, a senior official of the moderate Albanian Muslim community, was murdered. Ermir Gjinishi, who had been supported by Al-Haramain, was detained in connection with the murder, but no charges were filed; Albanian authorities later released him. Just prior to being murdered, Tivari informed the Al-Haramain-affiliated Gjinishi that he intended to reduce "foreign Islamic influence" in the Albanian Muslim community.

Prior to his murder, Tivari controlled finances, personnel decisions, and donations within the Albanian Muslim community. This provided him significant power, enabling him to survive several attempts by extremists trained overseas to replace him or usurp his power.

As of late 2002, Al-Haramain was reportedly withdrawing virtually all funding to the Albanian Muslim community. Al-Haramain in Albania was to send all proceeds from the sale of some property to the Al-Haramain headquarters in Saudi Arabia. As of late 2003, Al-Haramain was paying

for, through a HAMAS member with close ties to Al-Haramain in Albania, security personnel to guard the Al-Haramain building in Albania, which had been shut down earlier in 2003.

Bangladesh

Information available to the U.S. shows that a senior Al-Haramain official deployed a Bangladeshi national to conduct surveillance on U.S. consulates in India for potential terrorist attacks. The Bangladeshi national was arrested in early 1999 in India, reportedly carrying four pounds of explosives and five detonators. The terrorist suspect told police that he intended to attack U.S. diplomatic missions in India. The suspect reportedly confessed to training in al Qaida terrorist camps in Afghanistan, where he met personally with Usama bin Laden in 1994. The suspect first heard of plans for these attacks at the Al-Haramain office in Bangladesh.

Ethiopia

Information available to the U.S. shows that Al-Haramain in Ethiopia has provided support to Al-Ittihad Al-Islamiya (AIAI). In Ethiopia, AIAI has engaged in attacks against Ethiopian defense forces. AIAI has been designated both by the U.S. Government and by the UN 1267 Sanctions Committee.

Ethiopia is one of the countries where Al-Haramain's website states they have operations, but there does not appear to be a formal branch office. We ask that action be taken to designate Al-Haramain in Ethiopia to ensure that individuals cannot use the name of this organization based in Saudi Arabia, or act under its auspices, within Ethiopia.

The Netherlands

Since 2001, Dutch officials have noted indications that the Al-Haramain branch in the Netherlands supported violence. Al Aqil is a board member of the Al-Haramain branch in the Netherlands, which has also been linked to the Bosnian branch of Al-Haramain and the Benevolence International Foundation (BIF). Both BIF and the Bosnian branch of Al-Haramain have been designated by the U.S. Government and by the UN 1267 Sanctions Committee. Al Aqil is being designated by the U.S. as part of this action.

Identifying Information:

Aqeel Abdulaziz Al-Aqil:

DOB 29 APR 1949

AHF in Afghanistan

AHF in Albania (Last known address):

Irfan Tomini Street, #58

Tirana, Albania

Phone 355-04-234-637

AHF in Bangladesh

House 1, Road 1, S-6

Uttara, Dhaka

Bangladesh

AHF in Ethiopia (Last known address):

Woreda District 24 Kebele Section 13

Addis Abbaba, Ethiopia

AHF in the Netherlands:

Operating under the name: "Stichting Al Haramain
Humanitarian Aid"

Jan Hanzenstraat 114; 1053SV

Amsterdam, The Netherlands

Phone 020-618-2645

End background paper.