

## **Exemption from Assets Freeze**

### **I. Relevant Security Council resolutions and Committee Guidelines**

The exemptions from the assets freeze are provided for by the following:

- Security Council Resolution 2255 (2015): paragraphs 17, 18 and 22(a)
- Security Council Resolution 1452 (2002), as amended by resolution 1735 (2006)
- Committee Guidelines: Section 12

### **II. Who is entitled to submit the request for exemptions to the assets freeze?**

Member States who intend to authorize, where appropriate, access to frozen funds or other financial assets or economic resources.

Pursuant to paragraph 22(a) of resolution 2255 (2015), individuals listed on the 1988 Sanctions List may submit requests for exemption from the asset freeze through the Focal Point mechanism established pursuant to resolution 1730 (2006). Further information on how to submit an assetfreeze exemption request through the Focal Point process can be found [here](#).

### **III. What type of exemptions to assets freeze can be requested?**

There are two types of exemptions to assets freeze:

- For basic expenses
- For extraordinary expenses, including for expenses in the context of travel ban exemptions approved by the Committee

#### **1. The basic expenses exemption**

Pursuant to paragraph 1(a) of resolution 1452 (2002), as amended by paragraph 15 of resolution 1735 (2006) as well as Section 12 (d) of Committee Guidelines, notifications regarding the basic expenses exemption are to be submitted for Committee's consideration and must, as appropriate, include the following information:

1. Recipient (name and address)
2. Recipient's permanent reference number on the 1988 Sanctions List
3. Recipient's bank information (name and address of bank, account number)
4. Purpose of payment and justification of the determination of the expenses falling under the basic expenses exemption:
  - Basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
  - Payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
  - Fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources.
5. Amount of instalment
6. Number of instalments
7. Payment starting date

8. Bank transfer or direct debit
9. Interests
10. Specific funds being unfrozen
11. Other information.

## **2. The extraordinary expenses exemption**

Pursuant to paragraph 1 (b) of resolution 1452 (2002) as well as Section 12 (d) of Committee Guidelines, requests for the extraordinary expenses are to be submitted for Committee's consideration and must, as appropriate, include the following information:

1. Recipient (name and address)
2. Recipient's permanent reference number on the 1988 Sanctions List
3. Recipient's bank information (name and address of bank, account number)
4. Purpose of payment and justification of the determination of the expenses falling under the extraordinary expenses (other categories than the ones mentioned under paragraph 1(a) of resolution 1452 (2002)), including for expenses in the context of a granted travel ban exemption.
5. Amount of instalment
6. Number of instalments
7. Payment starting date
8. Bank transfer or direct debit
9. Interests
10. Specific funds being unfrozen
11. Other information.

**Please Note** that Member States are encouraged, when submitting requests for the extraordinary expenses exemption, to report in a timely way on the use of such funds, with a view to preventing such funds from being used to conduct any of the acts described in the Listing Criteria.

## **IV. How to make the request for exemptions to the assets freeze?**

Please send the requests/notifications for exemptions to the assets freeze to:

- The Chair of the Committee, through the Permanent Mission of Indonesia to the United Nations, Email address: [ptri@indonesiamission-ny.org](mailto:ptri@indonesiamission-ny.org)

With a copy to:

- The Secretary of the Committee, Mr. Kiho Cha, Email address: [SC-1267-Committee@un.org](mailto:SC-1267-Committee@un.org)

For further details on how to apply for exemptions to the assets freeze measures in paragraph 1(a) of resolution 2255 (2015), please see the link below.

[Explanation of form and process for asset freeze exemption request](#) 

## **V. Decision Making of the Committee**

The Committee, through the Secretariat, will immediately acknowledge receipt of the basic expense notification. Should no negative decision be taken by the Committee within the requisite

three working day period, the Committee, through its Chair, will inform the notifying Member State thereof. The Committee will also inform the notifying Member State if a negative decision has been taken regarding the notification.

The Committee, through its Chair, will inform the Member States requesting an exemption for extraordinary expenses about its decision following the requisite five working day period.

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