

Translation of Liechtenstein Law

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English title:	Ordinance of 4 October 2011 on Measures concerning Persons and Organisations with Connections to the Taliban
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Ordinance

of 4 October 2011

on Measures concerning Persons and Organisations with Connections to the Taliban

On the basis of Art. 2 and 14a of the Act of 10 December 2008 on the Enforcement of International Sanctions (ISG), Law Gazette [LGBL.] 2009 No. 41, in the wording of the Act of 9 June 2017, LGBL. 2017 No. 203, taking into account the provisions of Swiss law applicable as a result of the Customs Treaty, and implementing Resolutions 1452 (2002) of 20 December 2002, 1735 (2006) of 22 December 2006, 1988 (2011) of 17 June 2011, 2160 (2014) of 17 June 2014, and 2255 (2015) of 21 December 2015 of the United Nations Security Council¹, the Government issues the following Ordinance:²

I. Coercive measures

Art. 1

Prohibition of the supply of arms and related materiel

1) The supply, the sale, and the brokering of arms of any kind, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and accessories and spare parts for the above, to

¹ The text of these resolutions can be viewed in English at the following address
www.un.org/en/sc/documents/resolutions

(correct: <https://www.un.org/securitycouncil/content/resolutions-0>).

² Ingress amended by LGBL. 2017 No. 268.

the individuals, legal entities, groups, and persons listed in the Schedule is prohibited.

2) It is prohibited to grant, sell, and broker technical advice, aid, or training in connection with military activities to the individuals, legal entities, groups, and persons listed in the Schedule.

3) This shall apply subject to the provisions of the Swiss legislation applicable in Liechtenstein concerning war materiel, goods control, and embargoes.

Art. 2

Freezing of funds and economic resources

1) Funds and economic resources that are partly or entirely owned or under the direct or indirect control of:³

- a) the individuals and legal entities, groups, and organisations listed in the Schedule;
- b) the individuals and legal entities, groups, and organisations acting on behalf or on instruction of the individuals and legal entities, groups, and organisations pursuant to item (a);

are frozen.

2) It is prohibited to transfer funds to the individuals and legal entities, groups, and organisations concerned by the freeze or to provide them with funds and economic resources in any other way, be it directly or indirectly.⁴

3) Following reporting to the competent Committee of the United Nations Security Council, the Government may in accordance with the resolutions of that Committee or to preserve Liechtenstein interests approve payments from frozen accounts, transfers of frozen assets, or the release of frozen economic resources as an exception. Applications to such effect shall be submitted to the Financial Intelligence Unit (FIU).

³ Art. 2 Para. 1 amended by LGBL 2013 No. 278.

⁴ Art. 2 Para. 2 amended by LGBL 2013 No. 278.

Art. 3

Definitions

In this Ordinance, the following terms and expressions shall mean the following:

- a) Taliban: the "Taliban", "Taleban" or "Islamic Movement of Taliban", including their companies, enterprises, facilities, corporations, and sub-groups that are held by or under the control of the Taliban;
- b) funds: financial assets, including cash, cheques, monetary claims, bills of exchange, money orders or other payment instruments, credit balances, debts and debt obligations, securities and debt instruments, certificates representing securities, bonds, notes, warrants, debentures, derivatives; interest, dividends, or other income on or value accruing from assets; credit, right of set-off, guarantees, performance bonds or other financial commitments; letters of credit, bills of lading, bills of sale; documents evidencing an interest in funds or other financial resources, and any other instrument of export-financing;
- c) freezing of funds: the prevention of any act that enables the management or use of the funds, with the exception of normal administrative acts by banks and investment firms;
- d) economic resources: assets of any kind irrespective of whether they are tangible or intangible, movable or immovable, in particular real estate and luxury goods, with the exception of funds in terms of item (b);
- e) freezing of economic resources: the prevention of their use for the acquisition of funds, goods or services, including the sale, rental or pledging of such resources.

Art. 4

Entry and transit

1) The individuals listed in the Schedule are prohibited from entering or transiting through Liechtenstein.

2) The Government may grant exemptions in agreement with the resolutions of the United Nations Security Council. Applications to such effect shall be submitted to the Immigration and Passport Office.

II. Enforcement and penal provisions

Art. 5

Control and enforcement

1) The Financial Intelligence Unit shall supervise the enforcement of the coercive measures described in Art. 1 and 2. It shall in particular review the applications for exemption and shall forward them - if necessary, after consulting other offices concerned - to the Government with its recommendation.

2) The Immigration and Passport Office shall monitor the enforcement of the prohibition of entry and transit pursuant to Art. 4. It shall in particular review the applications for exemption and shall forward them - if necessary, after consulting other offices concerned - to the Government with its recommendation.

3) The competent Liechtenstein authorities shall take the measures necessary to freeze economic resources, such as by noting a prohibition of disposal in the Land Register or by attaching or sealing luxury goods.

4) Jurisdiction of the Swiss authorities shall remain reserved.

Art. 6

Reporting duties

1) Any persons or institutions holding or managing funds or knowing of economic resources which must be assumed to fall under the freeze laid down in Art. 2 Para. 1 must report this to the FIU forthwith.

2) The reports must contain the names of the beneficiaries and the subject and value of the frozen funds and economic resources.

Art. 7

Penal provisions

1) Anyone who violates Art. 1, 2, or 4 shall be punished pursuant to Art. 10 ISG unless penal provisions of Swiss legislation applicable in Liechtenstein concerning war materiel, goods control, and embargoes apply.

2) Anyone who violates Art. 5 shall be punished pursuant to Art. 11 ISG.

III. Final provisions⁵

Art. 7a⁶

Automatic adoption of lists of the persons, groups, and organisations that are the subject of measures

The lists issued or updated by the United Nations Security Council or the competent Committee of the United Nations Security Council concerning individuals and legal entities, groups, and organisations (Schedule) shall be adopted automatically.

Art. 8

Entering into force

This Ordinance shall enter into force on the date of its publication.

Princely Government:
signed *Dr. Klaus Tschütscher*
Princely Prime Minister

⁵ Heading before Art. 7a inserted by LGBl. 2017 No. 268.

⁶ Art. 7a inserted by LGBl. 2017 No. 268.