

BARBADOS

No. CV 1448 of 2019



DRAWN AND PREPARED BY

*W. Thomas*

Attorney-at-Law  
Public Prosecutions Department  
4<sup>th</sup> Floor Frank Walcott Building  
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St. Michael, BB14018

**SUPREME COURT OF BARBADOS  
IN THE HIGH COURT OF JUSTICE**

**IN THE MATTER OF A WITHOUT NOTICE APPLICATION** by the Director of Public Prosecutions of Barbados under **section 9 (1) and (2) of the Anti-Terrorism Act, Cap. 158 (as amended)**

**AND IN THE MATTER of The Anti-Terrorism Act, Cap. 158 (as amended)**

**AND IN THE MATTER** of an Application by the Director of Public Prosecutions of Barbados for the **Variation** of a Declaratory Court Order under **section 9(1) and (2) of the Anti-Terrorism Act, Cap. 158 (as amended)**

BETWEEN

**DIRECTOR OF PUBLIC PROSECUTIONS**

**CLAIMANT**

**AND**

**(1) QDi.138 Name: 1: SAID 2: BEN ABDELHAKIM  
3: BEN OMAR 4: AL-CHERIF**

**(2) QDi.362 Name: 1: EMRAH 2: ERDOGAN 3: na 4: na DEFENDANTS**

**ORDER**

**BEFORE:** The Honourable Mr. Justice Barry L. Carrington who considered the Application on the 21<sup>st</sup> day of February 2021 - via telephone.

**ENTERED** on the 23<sup>rd</sup> day of February 2021

**AND UPON READING** the Certificate of Urgency and the Fixed Date Claim Form dated the 20<sup>th</sup> day of February 2021 and the Draft Affidavit of Mr. Romario Straker, together with the Exhibit attached thereto;

**AND UPON DETERMINING** that this matter be deemed fit for an urgent hearing.

**AND UPON HEARING** Mr. Oliver Thomas, Attorney-at-Law and Senior Crown Counsel for the Claimant.


**IT IS HEREBY DECLARED:** that Pursuant to **section 8(1)(a)** of the **Anti-Terrorism Act, Cap. 158 (as amended)** ("**the Act**") the Defendants, listed on November 1, 2019 on the United Nations Security Council Sanctions List concerning ISIL (DA'ESH) and Al-Qaida and designated by the United Nations Security Council 1267/1989/2253 Committee, be delisted as entities or other groups for the purposes of the Act.

**IT IS ORDERED** that:


1. The Order granted by the Honourable Sir Marston Gibson, Chief Justice pursuant to **section 8(1)** of the "**Act**" who considered the Application **CV 1448 of 2019** on the 13<sup>th</sup> day of November 2019 is hereby revoked;
2. The Defendants are no longer listed as entities for the purposes of the Act;
3. The Defendants or any person affected hereby may within 60 days of the making of the Order, appeal to the Court of Appeal against the decision of the Judge and shall give the Director of Public Prosecutions at least 14 days' notice of the application.
4. The Registrar of the Supreme Court do serve a Copy of the Order on the Financial Intelligence Unit (FIU) immediately.

5. Pursuant to **section 10(1)** of the **Act**, the Director of Public Prosecutions shall cause notice of this Order to be published electronically immediately and in the Official Gazette and in at least two (2) daily newspapers in circulation in Barbados, as soon as possible.

Dated this 23<sup>rd</sup> day of February 2021.

  
\_\_\_\_\_  
Registrar of the Supreme Court (Aq.)

CERTIFIED A TRUE COPY

  
\_\_\_\_\_  
Legal Assistant (Aq.)

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**AND**

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**ORDER**

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**Donna C. B. Babb-Agard, QC**  
Director of Public Prosecutions