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Attorney-at-Law

Public Prosecutions Department
4th Floor Frank Walcott Building
Culloden Road
St. Michael, BB14018



JS

of 2022

**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 (Amendment) Act, 2019-34**

AND IN THE MATTER of The Anti-Terrorism (Amendment) Act 2019-34

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 (Amendment) Act, 2019-34**

BETWEEN

DIRECTOR OF PUBLIC PROSECUTIONS

CLAIMANT

AND

QDi.099 NAME: 1: KHALIL 2: BEN AHMED 3: BEN MOHAMED 4: JARRAYA

DEFENDANT

ORDER

BEFORE: The Honourable Madame Justice Shona Griffith, who considered the Application on the 26th day of January 2022.

ENTERED on the 31st day of January 2022

UPON READING the Fixed Date Claim Form filed on the 25th day of January 2022 and the affidavit of Mr. Romario Straker Crown Counsel, sworn and filed on the 25th day of January 2022 together with the Exhibit attached thereto;

AND UPON HEARING Mr. Keith Robertson, Attorney-at-Law and Crown Counsel for the Claimant.

IT IS HEREBY DECLARED: that Pursuant to **section 9(2)** of the **Anti-Terrorism (Amendment) Act, 2019-34**, the Defendant, listed on November 1, 2019 via the UN Security Council Press Release **SC/14758**:

<https://www.un.org/press/en/2022/sc14767.doc.htm>

And listed 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 affiliated with terrorist activated for the purposes of the **Anti-Terrorism (Amendment) Act, 2019-34**.

IT IS ORDERED that:

1. The Order granted by the Court pursuant to **section 8(1)** of the "Act" in **CV 1448 of 2019** on the 13th day of November 2019 is hereby varied to the extent that the Defendant **QDi.099 NAME: 1: KHALIL 2: BEN AHMED 3: BEN MOHAMED 4: JARRAYA** is no longer designated as a terrorist or terrorist entity for the purposes of the Act;
2. Pursuant to **section 9(1) and (2)** of the **Anti-Terrorism Act (as amended)** that:
 - a) any property of any nature whatsoever, whether immovable or moveable of the persons/entities against whom the Terrorist Designation Order is made;
 - b) property that is wholly or jointly owned or controlled, directly or indirectly, by the persons against whom the Terrorist Designation Order is made;
 - c) property that is derived or generated from other property owned or controlled, directly or indirectly, by the persons against whom the Terrorist Designation Order is made;

- d) property of a person acting on behalf of, or at the direction of the persons against whom the Terrorist Designation Order is made;

BE RESTORED.

3. The Defendant 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 31st day of January 2022.



Deputy Registrar of the Supreme Court (ag)

BARBADOS

No. CV of 2022

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ORDER

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