



## FORMAL ORDER

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

CLAIM NO. SU2024 CV:01884

**IN THE MATTER** of Section 14 (1)(a) of the *Terrorism Prevention Act 2005*, and Section 2 of the *Terrorism Prevention (Amendment) Act 2011*

**AND**

**IN THE MATTER** of an application by the Director of Public Prosecutions for an Order to amend the designated entities and/or individuals associated with ISIL (Da'esh) and Al-Qaida from the revised ISIL (Da'esh) and Al-Qaida Sanctions Committee List, pursuant to section 14 of the *Terrorism Prevention Act* and Sanctions Lists compiled by the United Nations Security Council Committee.

**AND**

**IN THE MATTER** of an application by the Director of Public Prosecutions for an Order to AMEND the individual **QDi.431 Name: 1: SANAULLAH 2: GHAFARI 3: na 4: na** as a Terrorist entity and/or individual from the revised ISIL (Da'esh) and Al-Qaida Sanctions Committee List.

**BETWEEN THE DIRECTOR OF PUBLIC PROSECUTIONS**  
**AND SANAULLAH GHAFARI**

**APPLICANT**  
**DEFENDANT**

IN CHAMBERS # 5  
BEFORE THE HONOURABLE

Mrs Justice Anna Sherry-Williams

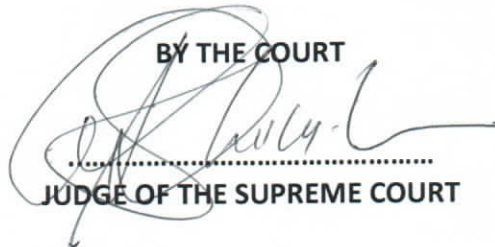
THIS 27<sup>th</sup> Day of April 2024,

**UPON THE HEARING OF THE FIXED DATE CLAIM FORM** filed by the Director of Public Prosecutions and dated 27<sup>th</sup> April, 2024 and coming up for hearing this day and upon hearing Counsel for the Applicant, Miss Ashtelle Steele, as instructed by the Office of the Director of Public Prosecutions.

**IT IS HEREBY ORDERED THAT:**

1. The particulars of the entities listed on the United Nations Sanctions List under reference SCA/2/21 (17) dated December 21, 2021 is amended to conform with the entry with reference DPPA/SCAD/SCSOB/2024/SCA/2/24 (06) within the meaning of the Terrorism Prevention Act 2005, Jamaica
2. In accordance with section 14 (1) (a) of the Terrorism Prevention Act, **QDi.431 Name: 1: SANAULLAH 2: GHAFARI 3: na 4: na** designated as terrorist entities by the United Nations Security Council and whose information were amended to the United Nations Sanctions List under Reference Number DPPA/SCAD/SCSOB/2024/SCA/2/24 (06) dated April 25, 2024 are hereby declared as listed entities for the purposes of the Terrorism Prevention Act.
3. In accordance with section 6 (1) of the **Terrorism Prevention Act**, no person in Jamaica or no Jamaican in or outside of Jamaica shall knowingly:
  - a. deal directly or indirectly with any property that is owned or controlled by or on behalf of the above listed entity.
  - b. enter into or facilitate, directly or indirectly, any transactions in respect of that property that is owned or controlled by on behalf of the above-mentioned listed entity
  - c. provide any financial or related services in respect of that property that is owned or controlled by or on behalf of the above-mentioned listed entity.

- d. Convert any property owned or controlled by or on behalf of the below mentioned entities or take any steps to conceal or disguise that property is owned or controlled by or on behalf of the above-mentioned listed entity.
4. This Order(s) herein remain in effect except or until an Order is made by the Court for any exemption in accordance to section 14 (B) or 14(C) of the Terrorism Prevention Act or otherwise revoked or modified.
5. The Applicant's attorney is to prepare, file and serve a copy of this Order along with a copy of UN document DPPA/SCAD/SCSOB/2024/SCA/2/24 (06) dated April 25, 2024, issued by the United Nations Security Council Sanctions List Committee on all relevant authority and financial institutions.

**BY THE COURT**  
  
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**JUDGE OF THE SUPREME COURT**



REFERENCE: DPPA/SCAD/SCSOB/2024/SCA/2/24 (06)

The Chair of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities presents compliments to the Permanent Representatives and Observers to the United Nations and wishes to convey the following:

On 25/04/2024, the Committee enacted the **amendments** specified with strikethrough and underline in the entry below on its List of individuals and entities subject to sanctions - assets freeze, travel ban, and arms embargo - set out in paragraph 1 of Security Council resolution 2610 (2021).

**A. Individuals**

**QDi.431 Name:** 1: SANAULLAH 2: GHAFARI 3: na 4: na

**Name (original script):** ثناء الله غفاری

**Title:** Dr. **Designation:** na **DOB:** ~~a~~ 28 Oct. 1994 ~~b~~ 24 May 1990 **POB:** Mir Bacha Kot District, Kabul Province, Afghanistan **Good quality a.k.a.:** ~~a~~ Dr. Shahab al Muhajir ~~b~~ Shahab Muhajer ~~c~~ Shahab Mohajir ~~d~~ Shahab Mahajar ~~e~~ Shihab al Muhajir ~~f~~ Shihab Muhajer ~~g~~ Shihab Mohajir ~~h~~ Shihab Mahajar **Low quality a.k.a.:** na **Nationality:** Afghanistan **Passport no:** ~~na~~ Afghanistan number: O1503093, issued on 25 Aug. 2016 in Kabul, Afghanistan (expired on 25 Aug. 2021) **National identification no:** na **Address:** ~~a~~ Afghanistan (2021) ~~b~~ Kunduz, Afghanistan (previous) **Listed on:** 21 Dec. 2021 (Amended on 25 April 2024) **Other information:** Leader of the Islamic State of Iraq and the Levant - Khorasan (ISIL - K) (QDe.161). Information Technology Expert. Father's name: Abdul Jabbar. Grandfather's name: Abdul Ghaffar. Photo is available for inclusion in the INTERPOL-UN Security Council Special Notice. INTERPOL-UN Security Council Special Notice web link:<https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals> click here

The names of individuals and entities on the ISIL (Da'esh) and Al-Qaida Sanctions List pursuant to a decision by the Committee may be found in the "Press Releases" section on the Committee's website: <https://www.un.org/securitycouncil/sanctions/1267/press-releases>

To obtain a fully updated version of the List, Member States are encouraged to consult, on a regular basis, the Committee's website at the following URL: [https://www.un.org/securitycouncil/sanctions/1267/aq\\_sanctions\\_list](https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list). The Sanctions List is available in HTML, PDF and XML format and is updated regularly on the basis of relevant information provided by Member States and international and regional organizations.

The United Nations Security Council Consolidated List is also updated following all changes made to the ISIL (Da'esh) and Al-Qaida Sanctions List. An updated version of the Consolidated List is accessible via the following URL: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>.

In accordance with paragraph 19 of resolution 1526 (2004), the Secretariat automatically conveys updates of the ISIL (Da'esh) and Al-Qaida Sanctions List to States, regional and sub-regional organizations by e-mail shortly following the postings of such updates on the Committee's website.

Member States are invited to submit any updated or new information for this purpose to the Secretariat by e-mail to: [SC-1267-Committee@un.org](mailto:SC-1267-Committee@un.org). The Committee encourages all States to allow implementation of updates of the ISIL (Da'esh) and Al-Qaida Sanctions List based on e-mails, soft-copy notices, or website postings.

25 April 2024

