

# Proscription of Individuals & Organizations

## Process of Proscription of Organizations

The organizations are proscribed u/s 11B of the Anti-Terrorism Act, 1997, and their list is maintained under First Schedule of the Act. Such organizations have right of appeal u/s 11C within thirty days of proscription.

Review Committee u/s 11CC comprises of three officers, i.e., representatives from Ministry of Law & Justice and Ministry of Interior not below the rank of Joint Secretary.

## Sanctions on Proscribed Organizations

Following measures are taken against proscribed organization (First Schedule) u/s 11E, 11E, 11E and 11O of the Act:

- Offices shall be sealed
- Literature, posters, banners, printed and digital material
- Restrictions on press statements and press conferences
- Restrictions on travel
- Financial sanctions: ban on financial support
- Cancellation of arms license and depositing the arm in the concerned police station
- Obligation to declare income and expenditure
- Obligation to disclose sources of fund
- Restriction on political and social activities

## Process of Proscription of individual

The individuals are proscribed u/s 11EE(1) of ATA-1997, and their list is maintained under Fourth Schedule of the Act. The proscribed individuals may file review petition u/s 11EE(3) within thirty days of proscription.

## Measures taken against Proscribed Individuals

Following measures are taken against proscribed person u/s 11EE(2) and 11O of ATA-1997:

- Provision of surety-bond for ensuring good behavior
- Movement restrictions, and surveillance of activities
- Financial sanctions: freezing of bank accounts
- Asset-monitoring of the person and immediate family members
- Embargo on passport and arms license

## **Monitoring Regime of Domestic Proscription (UNSCR-1373)**

The role of various state institutions with respect to the domestic proscription is as under:

### **NACTA**

While the proscription of entities falls under the purview of the Ministry of Interior, and the proscription of individuals is the mandate of provincial/regional home departments, NACTA is responsible for monitoring the implementation of UNSCR-1373 within the domestic legal framework through its UNSCR 1373 Implementation Committee. Key responsibilities of the Committee include oversight, coordination, monitoring, policy development, technical assistance, capacity building, and reporting.

In addition to its role in monitoring implementation, NACTA maintains updated data on proscribed persons and organizations, coordinates with provinces to resolve data issues, and collaborates with PITB for technical support. As the lead authority on UNSCR 1373, NACTA has been instrumental in establishing systems to enhance interagency cooperation and ensure the effective implementation of the sanctions regime. These systems, including the dedicated UNSCR-1373 Portal, are scheduled to be fully operational by the end of year 2024, replacing the existing Portal of Proscribed Persons.

The enhanced monitoring regime includes more than 100 attributes for each proscribed person against various sections of Anti-Terrorism Act 1997, including 11B, 11D, 11E, 11EE, 11EEEE, 11O, 11OO, 11OOO, 11P, and 11U of the Act *ibid*.

### **Ministry of Interior**

The Ministry of Interior (MoI) is responsible for notifying proscription orders against entities, ensuring timely uploading on NACTA's website, enforcing and monitoring actions of proscribed organizations, and freezing and seizing their property.

### **Home Departments & Chief Commissioner ICT**

Home Departments/Chief Commissioner ICT are tasked with issuing notifications to implement proscription orders against individuals, uploading the proscription online, ensuring timely implementation, and sharing progress with relevant authorities. They are also responsible for freezing and seizing money or property of proscribed organizations and persons, avoiding prior notice for freezing assets, maintaining updated data on frozen or seized assets, providing periodic updates to MoI and NACTA, and processing basic expense exemptions for proscribed persons.

### **Counter Terrorism Departments (CTDs)**

Provincial Counter-Terrorism Departments (CTDs) are responsible for assisting District Intelligence Committees (DICs) in discharging their functions, implementing

requirements under section 11EE of ATA-1997, monitoring and keeping surveillance over the activities of proscribed persons, and fulfilling other obligations under the Act.

### **Financial Institutions**

The SBP and SECP are responsible for maintaining updated information on freezing actions, monitoring their regulated entities, and guiding them on TFS requirements and effective controls. Other reporting entities, including all banking and non-banking financial institutions and Designated Non-Financial Businesses & Professions (DNFBPs), are required to freeze money or property owned or controlled by proscribed organizations or persons without delay or prior notice. They are prohibited from providing loan facilities or financial support to proscribed persons or organizations, although necessary withdrawals may be allowed with specific exemptions.

### **Other Provincial/ Regional Stakeholders**

Provincial departments, including district administration and revenue authorities, are responsible for complying with orders from the MoI or Home Department regarding compliance and freezing funds without delay. District intelligence committees are tasked with holding regular meetings to identify proscribed persons or organizations, making recommendations to Home Departments for their placement, monitoring proscribed persons and organizations, reviewing de-proscription applications, and identifying money or property belonging to proscribed persons or organizations.