



No. CV 0355 of 2022

DRAWN AND PREPARED BY

(Kelaney)
 Attorney-at-Law
 Public Prosecutions Department
 4th Floor Frank Walcott Building
 Culloden Road
 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 for a Terrorist Designation Order under **section 8(1)(a) 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 a Counter Proliferation Order under **section 10B of the Anti-Terrorism (Amendment) Act, 2019-34**

IN THE MATTER OF A WITHOUT NOTICE APPLICATION of an Application by the Director of Public Prosecutions of Barbados for a Restraining Order under **section 54 of the Proceeds and Instrumentalities of Crime Act, 2019-17**

BETWEEN

DIRECTOR OF PUBLIC PROSECUTIONS

CLAIMANT

AND

QDi.430 Name: 1: EMRAAN 2: ALI

FIRST DEFENDANT

QDE.161 Name: ISLAMIC STATE IN IRAQ AND THE LEVANT – KHORASAN (ISIL-K) A.K.A: a) ISIL KHORASAN b) ISLAMIC STATE'S KHORASAN PROVINCE c) ISIS WILAYAT KHORASAN d) ISIL'S SOUTH ASIA BRANCH e) SOUTH ASIAN CHAPTER OF ISIL f) The Islamic State of Iraq and ash-Sham—Khorasan Province g) The Islamic State of Iraq and Syria—Khorasan h) Islamic State of Iraq and Levant in Khorasan Province

i) **Islamic State Khurasan** j) **ISIS-K** k) **ISISK** l) **IS-Khorasan**

SECOND DEFENDANT

ORDER

BEFORE: The Honourable Sir Patterson Cheltenham K.A., Chief Justice of Barbados, who considered the Application on the 2nd day of April 2022.

ENTERED on the day April 2022.

AND UPON READING the Fixed Date Claim Form filed on the 2nd day of April 2022 and the affidavit of Mr. Kevin Forde, Crown Counsel (Ag) in the Department of Public Prosecutions, sworn and filed on the 2nd day of April 2022 together with the Exhibit attached thereto;

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

AND UPON HEARING Mrs. Krystal C. Delaney, Principal Crown Counsel in the Department of Public Prosecutions;

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

IT IS HEREBY ORDERED that:

- a. The First Defendant be a listed individual pursuant to **section 8(1)(a) of the Anti-Terrorism (Amendment) Act 2019-34;**
- b. The Second Defendant be a listed entity pursuant to **section 10B (1) of the Anti-Terrorism (Amendment) Act 2019-34;**

- c. There be a Counter Proliferation Order against the First and Second Defendants pursuant to **section 10B of the Anti-Terrorism (Amendment) Act 2019-34**;
- d. The First and Second Defendants, their servants and agents or however otherwise described, be restrained from using, disposing or otherwise dealing with in any manner whatsoever the property of the Defendants whether that property is wholly or jointly owned or controlled, directly or indirectly, by the Defendants or is property derived or generated from other property owned or controlled, directly or indirectly, by the Defendants or is property of a person acting on behalf of, or at the direction of, the Defendants.
- e. 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;
- f. The Registrar of the Supreme Court serve a Certified Copy of the Order on the Financial Intelligence Unit (FIU) immediately;
- g. The Court dispense with the requirement for service on the Defendants of the Declaratory Order, the Counter Proliferation Order and the Restraining Order;
- h. Pursuant to **section 10(1) of the Anti-Terrorism (Amendment) Act 2019-34**, the Director of Public Prosecutions cause a copy of the Order, to be immediately published electronically and to be

published in the Official Gazette and at least two (2) daily newspapers in circulation in Barbados, as soon as possible.

- i. Costs to be costs in the cause;
- j. All such further Orders and/or directions as the Court deems fit for securing and enforcing the Declaratory Order and the Counter Proliferation Order sought in the circumstances of the case; and
- k. Liberty to apply.

Dated this 2nd day of April 2022



Deputy Registrar of the Supreme Court(ag.)

BARBADOS

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

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j) ISIS-K k) ISISK l) IS-Khorasan

SECOND DEFENDANT

ORDER

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